



General Assembly

January Session, 2019

**Raised Bill No. 947**

LCO No. 4067



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

**AN ACT ESTABLISHING A NURSING HOME PROVIDER USER TAX EXEMPTION FOR MATTATUCK HEALTHCARE FACILITY, INC.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-323 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Not later than fifteen days after approval of the Medicaid state  
4 plan amendment required to implement subdivision (4) of subsection  
5 (f) of section 17b-340 and prior to July 1, 2017, the Commissioner of  
6 Social Services shall seek approval from the Centers for Medicare and  
7 Medicaid Services for, and shall file a provider user fee uniformity  
8 waiver request regarding, the user fee set forth in sections 17b-320 and  
9 17b-321. The request for approval shall include a request for a waiver  
10 of federal requirements for uniform and broad-based user fees in  
11 accordance with 42 CFR 433.68, to (1) exempt from the user fee  
12 prescribed by section 17b-320 any nursing home that is owned and  
13 operated as of May 1, 2005, by the legal entity that is registered as a  
14 continuing care facility with the Department of Social Services, in  
15 accordance with section 17b-521, regardless of whether such nursing

16 home participates in the Medicaid program and any nursing home  
17 licensed after May 1, 2005, that is owned and operated by the legal  
18 entity that is registered as a continuing care facility with the  
19 Department of Social Services in accordance with section 17b-521; and  
20 (2) impose a user fee in an amount less than the fee determined  
21 pursuant to section 17b-320 as necessary to meet the requirements of  
22 42 CFR 433.68(e)(2) on (A) nursing homes owned by a municipality,  
23 and (B) nursing homes licensed for more than two hundred thirty  
24 beds. Notwithstanding any provision of the general statutes, the  
25 provisions of section 17b-8 shall not apply to the waiver sought  
26 pursuant to this section.

27 (b) Not later than September 1, 2019, the Commissioner of Social  
28 Services shall seek approval from the Centers for Medicare and  
29 Medicaid Services for an amendment to the provider user fee  
30 uniformity waiver obtained pursuant to subsection (a) of this section to  
31 exempt from the user fee prescribed by section 17b-320 a rest home  
32 with nursing supervision when such rest home is the only operating,  
33 free-standing rest home with nursing supervision in the state. The  
34 provisions of section 17b-8 shall not apply to the waiver amendment  
35 sought pursuant to this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-323

**Statement of Purpose:**

To eliminate the financial burden of the nursing home resident day user fee for the only operating, free-standing rest home with nursing supervision in the state.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*