

SENATE No. 319

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Reserving Beds in Nursing Homes During Certain Leaves of Absence..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 14A of chapter 118E of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by adding the following paragraphs:

3 In the event that a nursing facility resident who is a MassHealth recipient enters a
4 hospital, the division shall pay to preserve his or her bed in the nursing facility for a period of up
5 to 10 days. The division shall reimburse the nursing facility for the medical leave of absence,
6 which shall include an observation stay in a hospital in excess of twenty-four hours, at the
7 recipient’s pre-absence rate during the medical leave and upon the resident’s return.

8 In the event that a nursing facility resident who is a MassHealth recipient leaves the
9 nursing facility for non-medical reasons, the division shall pay to preserve his or her bed in the
10 facility for a period of up to 15 days. The division shall reimburse the nursing facility for the
11 non-medical leave of absence at the recipient’s pre-absence rate during the non-medical leave
12 and upon the resident’s return.