

HOUSE No. 3268

The Commonwealth of Massachusetts

PRESENTED BY:

Todd M. Smola

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to nursing facility user fees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/21/2011</i>

HOUSE No. 3268

By Mr. Smola of Palmer, a petition (accompanied by bill, House, No. 3268) of Todd M. Smola relative to nursing facility user fees. Elder Affairs.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to nursing facility user fees.

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 25 of chapter 118G of the general laws is hereby amended by striking out
2 subsection (b) and inserting in place thereof the following subsection:-

3 b) Each nursing home shall pay an assessment per non-Medicare reimbursed patient day;
4 provided however, that a nursing home built prior to 1965 with less than 100 beds shall not pay
5 such assessment. The assessment shall be sufficient in the aggregate to generate \$145 million in
6 each fiscal year. The assessment shall be implemented as a broad based health care-related fee as
7 defined in 42 U.S.C. § 1396b(w)(3)(B). The assessment shall be paid to the division quarterly.
8 The division may promulgate regulations that authorize the assessment of interest on any unpaid
9 liability at a rate not to exceed an annual percentage rate of 18 per cent and late fees at a rate not
10 to exceed 5 per cent per month. The receipts from the assessment, any federal financial
11 participation received by the commonwealth as a result of expenditures funded by these
12 assessments and interest thereon shall be credited to the General Fund.