

**HOUSE . . . . . No. 554**

---

**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>	

**HOUSE . . . . . No. 554**

---

By Mr. Smola of Palmer, a petition (accompanied by bill, House, No. 554) of Todd M. Smola relative to nursing facility user fees. Elder Affairs.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3268 OF 2011-2012.]

**The Commonwealth of Massachusetts**

—————  
**In the Year Two Thousand Thirteen**  
—————

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.