

# SENATE BILL 630

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SB 1109/17 – FIN

8lr3153  
CF HB 1215

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By: **Senators Madaleno, Benson, Feldman, Hershey, Jennings, Klausmeier, Middleton, Reilly, and Rosapepe**

Introduced and read first time: February 1, 2018

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Nursing Homes – Partial Payment for Services Provided**

3 FOR the purpose of requiring the Maryland Department of Health to make a certain  
4 advance payment to a nursing home at the request of the nursing home under certain  
5 circumstances; providing that the advance payment may not exceed a certain  
6 amount; requiring the Department to pay the balance due to a nursing home under  
7 certain circumstances; requiring the Department to recover certain advance  
8 payments in a certain manner under certain circumstances; defining a certain term;  
9 providing for the termination of this Act; and generally relating to the Maryland  
10 Medical Assistance Program and advance payments to nursing homes.

11 BY repealing and reenacting, without amendments,  
12 Article – Health – General  
13 Section 15–101(a) and (h)  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2017 Supplement)

16 BY adding to  
17 Article – Health – General  
18 Section 15–149  
19 Annotated Code of Maryland  
20 (2015 Replacement Volume and 2017 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Health – General**

4 15–101.

5 (a) In this title the following words have the meanings indicated.

6 (h) “Program” means the Maryland Medical Assistance Program.

7 **15–149.**

8 (A) IN THIS SECTION, “NURSING HOME” HAS THE MEANING STATED IN §  
9 **19–1401 OF THIS ARTICLE.**

10 (B) AT THE REQUEST OF A NURSING HOME, THE DEPARTMENT SHALL MAKE  
11 AN ADVANCE PAYMENT TO THE NURSING HOME FOR UNCOMPENSATED PROGRAM  
12 SERVICES PROVIDED TO A RESIDENT OF THE NURSING HOME WHO HAS FILED AN  
13 APPLICATION FOR PROGRAM SERVICES IF THE ELIGIBILITY OF THE RESIDENT FOR  
14 PROGRAM SERVICES HAS NOT BEEN DETERMINED WITHIN 90 DAYS AFTER THE  
15 APPLICATION WAS FILED.

16 (C) AN ADVANCE PAYMENT PROVIDED UNDER SUBSECTION (B) OF THIS  
17 SECTION MAY NOT EXCEED 50% OF THE ESTIMATED AMOUNT DUE FOR THE  
18 UNCOMPENSATED SERVICES.

19 (D) (1) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND  
20 AN APPLICATION FOR PROGRAM SERVICES IS GRANTED, THE DEPARTMENT SHALL  
21 PAY THE BALANCE DUE TO THE NURSING HOME.

22 (2) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND  
23 AN APPLICATION FOR PROGRAM SERVICES IS DENIED, THE DEPARTMENT SHALL  
24 RECOVER ANY ADVANCE PAYMENTS MADE ON BEHALF OF THE APPLICANT BY  
25 REDUCING PAYMENTS DUE TO THE NURSING HOME.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2018. It shall remain effective for a period of 2 years and, at the end of June 30, 2020,  
28 this Act, with no further action required by the General Assembly, shall be abrogated and  
29 of no further force and effect.