



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 528

PRINTERS NO. 3725

PRIME SPONSOR: Boback

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	\$0

SUMMARY: Creates the Long-Term Care Consumer Relocation Coordination Act providing practices regarding certain facilities, licensing agencies and Area Agencies on Aging when coordinating and relocating consumers from those facilities. Effective date is in 180 days

ANALYSIS: This legislation would require that, at least 30 days prior to relocation of a consumer, the facility (a domiciliary care home, a personal care home, an assisted living residence or a long term care nursing facility) must provide a written notice to the consumer/ designated person and notify its licensing agency and the appropriate Area Agencies on Aging. Relocation means the involuntary transfer or involuntary discharge of a consumer from one facility due to facility closure. The facility will retain full responsibility for discharge planning. The affected facility, its licensing agency and local area agencies on aging are required to coordinate efforts for the consumer's protection and the inclusion of other appropriate agencies, share information about the consumer and relocation plan/process, and cooperate throughout the relocation process; the local ombudsman is to ensure that the consumer is involved in the planning/ placement process. Nothing in the legislation would preclude the right of a licensing agency to make a temporary placement until a final can be arranged or supplant existing requirements for contacting the ombudsman or requirements applicable to transfer of nursing facility residents. The Area Agency on Aging would be required to maintain a record of each relocation incident in which the ombudsman is involved. The department is required to provide technical assistance and guidance to the ombudsman, to monitor/ track relocation records to identify trends, to ensure that the ombudsman and AAAs comply with the provisions and may promulgate necessary regulations. The appropriate licensing facility is to ensure that the facility is in compliance with the provisions of this legislation and may cite a facility for noncompliance

FISCAL IMPACT: Enactment of this legislation would have no adverse fiscal impact on Commonwealth funds. The legislation clarifies existing practices when a facility closes and a resident is transferred to another facility.

PREPARED BY: Kathy Vranicar
House Appropriations Committee (R)

DATE: June 13, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.