

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO.

House Bill 372

PRINTER'S NO.

390

AMOUNT

No fiscal impact

FUND

General Fund

DATE INTRODUCED

Feb. 10, 2009

PRIME SPONSOR

Representative Staback

HISTORY OF BILL

Referred to AGING & OLDER ADULT SERVICES, Feb. 10, 2009

Reported as committed, March 23, 2009

First consideration, March 23, 2009

Laid on the table, March 23, 2009

Removed from the table, March 24, 2009

Re-committed to APPROPRIATIONS, March 25, 2009

Re-reported as committed, March 25, 2009

Second consideration, March 25, 2009

Third consideration and final passage, March 30, 2009 (193-0)

IN THE SENATE

Referred to PUBLIC HEALTH & WELFARE, April 2, 2009

Reported as committed, June 17, 2009

First consideration, June 17, 2009

Re-referred to APPROPRIATIONS, July 7, 2009

Re-reported as committed, July 14, 2009

DESCRIPTION AND PURPOSE OF BILL

House Bill 372 amends the Health Care Facilities Act by providing definitions and establishing procedures for investigating complaints at long-term care nursing facilities.

The term "immediate jeopardy" is defined as a situation where noncompliance with one or more requirements has caused or may cause serious injury, harm, impairment or death to a resident. A "general complaint" is defined as not alleging immediate jeopardy. A "priority complaint" is one that does allege immediate jeopardy.

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A section is added establishing procedures for complaint investigations. If a priority complaint is reported, the Department of Health must initiate an onsite inspection within 24 hours. If a general complaint is reported, an inspection shall be initiated or a surveyor shall be assigned to initiate an inspection within 48 hours of receiving the complaint. A plan of correction must be submitted to the Department. After the Department approves it, a follow-up inspection must be conducted after the longest target date for compliance but no later than 90 days after the initial inspection.

The act shall take effect in 60 days.

FISCAL IMPACT:

House Bill 372 codifies the Department of Health's current practice of responding to complaints alleging immediate jeopardy within 24 hours.

The Department is concerned that it may need additional staff to address any large-scale unexpected events. However, it is assumed that the requirements set forth in this act will be met with existing resources.