

**NURSING CARE FACILITIES ASSESSMENT AMENDMENTS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Gene Davis**

AN ACT RELATING TO HEALTH; ELIMINATING THE ANNUAL ADJUSTMENT OF THE NURSING CARE FACILITY ASSESSMENT; MAKING TECHNICAL AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**26-35-104**, as last amended by Chapter 150, Laws of Utah 1994

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-35-104** is amended to read:

**26-35-104. Collection, remittance, and payment of nursing facilities assessment.**

(1) [~~Beginning July 1, 1992, an~~] An assessment is imposed upon each nursing care facility in the amount of [~~\$1.50~~] \$1.83 per patient day. [~~The amount of the assessment shall be adjusted annually as determined by rule by the department. The adjustment shall be based on the same percentage change as the percentage change in the Utah nursing facility inflation index.~~]

(2) (a) The assessment imposed by this chapter is due and payable on a monthly basis on or before the last day of the month next succeeding each monthly period.

(b) The collecting agent for this assessment shall be the department which is vested with the administration and enforcement of this chapter, including the right to audit records of a nursing facility related to patient days of care for the facility.

(c) The department shall forward proceeds from the assessment imposed by this chapter to the state treasurer for deposit in the General Fund as specified in Section 26-35-106.

(3) Each nursing facility shall, on or before the end of the month next succeeding each calendar monthly period, file with the department a return for the monthly period, and shall remit with the return the assessment required by this chapter to be paid for the period covered by the return.

(4) Each return shall contain information and be in the form the department prescribes by

rule.

(5) The assessment as computed in the return shall be based on the total amount of patient days during the monthly period.

(6) The department may by rule, extend the time for making returns and paying the assessment.

(7) Each nursing facility that fails to pay any assessment required to be paid to the state, within the time required by this chapter, or that fails to file a return as required by this chapter, shall pay, in addition to the assessment, penalties and interest as provided in Section 26-35-105.

**Section 2. Effective date.**

This act takes effect on July 1, 2000.