



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 29, 2016

Mr. Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 386**, NURSING CARE FACILITY AMENDMENTS, by Representative F. Gibson, with the following amendments:

1. *Page 2, Line 32:*

32            ~~{None}~~    **This bill has a special effective date.**

2. *Page 10, Lines 295 through 298:*

295    within three years; **and**  
296            ~~{(B) once transferred under Subsection (2)(b)(iv)(A), the licenses are not transferred or~~  
297    **sold again under the provisions of this Subsection (2)(b)(iv); and**  
298    ~~—(C)}~~    **(B)** the nursing care facility program notifies the director of the transfer or sale in

3. *Page 12, Line 368:*

368            ~~{(iii)}~~ (C) a small health care facility that is hospital based;    ~~{+}~~ **or** ~~{+}~~

4. *Page 13, Lines 370 through 377:*

370    with no more than 16 beds ~~[or less:]~~ .    ~~{; or}~~

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371 ~~—(E) a small health care facility with four to 16 beds that functions as a skilled~~  
372 ~~nursing~~  
373 ~~facility, is located on the same campus as an ambulatory surgical facility, as defined~~  
374 ~~by the~~  
375 ~~department by administrative rule adopted in accordance with Title 63G, Chapter 3,~~  
376 ~~Utah~~  
377 ~~Administrative Rulemaking Act, serves only individuals leaving the care of the~~  
378 ~~ambulatory~~  
379 ~~surgical facility, allows patients to stay at the small health care facility for no more~~  
380 ~~than 10~~  
381 ~~days, and is the only small health care facility with four to 16 beds that functions as~~  
382 ~~a skilled~~  
383 ~~nursing facility on the campus of the ambulatory surgical facility.-}~~

5. Page 13, Line 392:

392 (b) the facility's nursing care facility program has received or will receive  
393 approval for Medicaid certification under

6. Page 15, Lines 445 through 446:

445 (6) Subsection (2) does not apply to a nursing care facility that :  
446 (a) {+} has {+} , by the effective date of this act, submitted to the  
447 department schematic drawings, and paid applicable fees, for a particular site or a  
448 site within a three mile radius of that site; {-}  
449 {(a)} (b) before July 1, 2016:

7. Page 15, Lines 451 through 458:

451 for the facility;  
452 {(b)} (c) applies for a license within three years of closing for renovation;  
453 {(c)} (d) replaces a nursing care facility that:  
454 (i) closed within the past three years; or  
455 (ii) is located within five miles of the facility;  
456 {(d)} (e) is undergoing a change of ownership, even if a government entity

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designates the  
457 facility as a new nursing care facility; or  
458 ~~{(e)}~~ (f) is a state-owned veterans home, regardless of who operates the  
home.

8. *Page 17, Line 508:*

508 Procedures Act. =

**Section 7. Effective Date.**

**If approved by two-thirds of all members elected to each house, this bill takes effect upon the approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.**

Respectfully,

Val L. Peterson  
Committee Chair

Voting: 13-0-1

3 HB0386.HC1.WPD 2/29/16 6:22 pm JWade/JTW CJD/MDA

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