

# H.B. 386

## NURSING CARE FACILITY AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

FEBRUARY 26, 2016 3:17 PM

Representative **Francis D. Gibson** proposes 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  
371    ~~——(E) a small health care facility with four to 16 beds that functions as a skilled nursing~~  
372    ~~facility, is located on the same campus as an ambulatory surgical facility, as defined by the~~  
373    ~~department by administrative rule adopted in accordance with Title 63G, Chapter 3, Utah~~  
374    ~~Administrative Rulemaking Act, serves only individuals leaving the care of the ambulatory~~  
375    ~~surgical facility, allows patients to stay at the small health care facility for no more than 10~~  
376    ~~days, and is the only small health care facility with four to 16 beds that functions as a skilled~~  
377    ~~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 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    :  
(a)    {+} has {+}    , **by the effective date of this act, submitted to the department**  
**schematic drawings, and paid applicable fees, for a particular site or a site within a two mile radius of**  
**that site;**    {+}

446            ~~{(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 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.**