

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2532

"AN ACT TO ENSURE THAT RESIDENTS OF LONG-TERM CARE FACILITIES ARE
PROTECTED AND THE FACILITIES PAID."

Amendment No. 2 to House Bill No. 2532.

Amend House Bill No. 2532 as engrossed, H3/9/05 (version: 03-09-2005 10:10):

Page 2, delete lines 10 through 12 and substitute the following:

"(1) "Agent" means a person who manages, uses, controls, or otherwise has legal access to a resident's income or resources that legally may be used to pay a resident's share of cost or other charges not paid for by the state Medicaid program;"

AND

Page 2, delete line 19 and substitute the following:

"Medicaid program; and"

AND

Page 2, delete line 25 and substitute the following:

"by the state Medicaid program."

AND

Page 2, delete lines 26 through 36

AND

Page 3, delete lines 1 through 35 and substitute the following:

"(b)(1) No long-term care facility may require a third-party guarantee of payment to the facility as a condition of admission, expedited admission, or continued stay in the facility.

(2) However, a long-term care facility may require an agent who has legal access to a resident's income or resources available to pay for facility care to sign a contract without incurring personal financial liability to provide facility payment from the resident's income or resources.

(c) An agent who guarantees payment under subdivision (b)(2) of this



section shall be personally liable to the facility for payment of a resident's share of cost or other charges incurred by the resident if and to the extent that the agent uses a resident's income or resources for purposes other than the resident's facility care.

(d) Unless otherwise exempted by law or contract, a resident or his or her agent shall pay for the resident's share of cost or other charges not paid for by the state Medicaid program.

(e) If a resident who has not been a Medicaid recipient becomes a"

AND

Page 4, delete lines 3 through 5

The Amendment was read _____
By: Representative Medley
MGF/JGH - 03-10-2005 08:20
MGF419

Chief Clerk