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

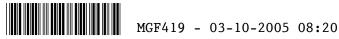
Page 2, delete line 25 and substitute the following: "by the state Medicaid program."

AND

Page 2, delete lines 26 through 36

AND

- Page 3, delete lines 1 through 35 and substitute the following:
- "(b)(l) 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