

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 146

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE IDAHO RESIDENTIAL CARE OR ASSISTED LIVING ACT; AMENDING SECTION 39-3303, IDAHO CODE, TO PROVIDE RESIDENTIAL CARE OR ASSISTED LIVING FACILITY REQUIREMENTS FOR RESIDENTS WHO ARE NOT CLIENTS OF THE DEPARTMENT OF HEALTH AND WELFARE; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-3303, Idaho Code, be, and the same is hereby amended to read as follows:

39-3303. PAYMENT LEVELS. (1) Clients of the department who are receiving financial aid as set out in sections 56-207, 56-208 and 56-209a, Idaho Code, seeking placement in a residential care or assisted living facility will be assessed by the department regarding their need for specific types of services and supports. This assessment will determine the reimbursement rate to the service provider.

Eligible participants must be allowed to choose the facility or services that are appropriate to meet their medical needs and financial ability to pay. The department shall promulgate rules outlining the payment policy and calculations for clients of the department through negotiated rulemaking.

(2) Residents who are not clients of the department shall:

(a) Be assessed by the facility regarding their need for specific types of services and supports. This assessment, and the individual negotiated service agreement, shall determine the rate charged to the resident.

(b) Receive a full description of services provided by the facility and associated costs upon admission, according to facility policies and procedures. A thirty (30) day notice must be provided prior to a change in facility billing practices or policies.

(c) Be charged for the use of furnishings, equipment, supplies and basic services as agreed upon in the negotiated service agreement or as identified in the admission agreement.

(d) Be notified by the facility if there is a change in the resident's condition and the costs associated with such change. The notification must be sent to the resident, or if a legal guardian and/or conservator has been appointed for the resident, to such legal guardian and/or conservator within seven (7) days of the change.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.