

CHAPTER 85**(HB 339)**

AN ACT relating to continuing care retirement communities and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 216B.335 is amended to read as follows:

The establishment of continuing care retirement community nursing home beds under KRS 216B.015, 216B.020, 216B.330, and 216B.332 shall be limited to the time period commencing upon July 14, 2000, and ending **July 31, 2004**~~upon the adjournment of the 2002 General Assembly~~. No further continuing care retirement community nursing home beds shall be established under KRS 216B.015, 216B.020, 216B.330, and 216B.332 without affirmative actions of the General Assembly.

Section 2. KRS 216B.339 is amended to read as follows:

- (1) The cabinet shall monitor the establishment of continuing care retirement communities' nursing home beds closely. The cabinet shall collect the following data regarding continuing care retirement communities' nursing home beds:
 - (a) The number of applications for a certificate of need to convert nursing home beds to nursing facility beds, the number of beds included in each application, and the number of beds approved;
 - (b) The number of applications for Medicaid certification for continuing care retirement communities' nursing home beds, the number of beds included in each application, and the number of beds certified as Medicaid eligible;
 - (c) The payor sources for continuing care retirement communities' nursing home beds; and
 - (d) The number of each type of bed or living unit within each continuing care retirement community on July 14, 2000, and the number of each type of bed or living unit within each continuing care retirement community on October 31, **2003**~~2004~~.
- (2) Prior to the beginning of the **2004**~~2002~~ Regular Session of the General Assembly, the secretary shall issue a report to the President of the Senate and the Speaker of the House of Representatives, the chair of the Senate Standing Committee on Health and Welfare, and the chair of the House Standing Committee on Health and Welfare addressing the impact of KRS 216B.015, 216B.020, 216B.330, and 216B.332 upon the state's Medicaid budget, consumer access issues, and providers of long-term care.

Section 3. Whereas many seniors desire to continue living in a continuing care retirement community instead of moving to a nursing home, and the current statute permitting continuing care retirement communities to add nursing home beds sunsets at the end of the 2002 Regular Session of the General Assembly, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved March 28, 2002