

**CHAPTER 60****( HB 391 )**

AN ACT relating to long-term care.

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

➔Section 1. KRS 216.590 is amended to read as follows:

(1) *As used in this section:*

(a) *"CMS" means the Centers for Medicare and Medicaid Services;*

(b) *"Long-term care facility" means a nursing facility that is certified under Title XVIII or XIX of the Social Security Act; and*

(c) *"Long-term care provider association" includes but is not limited to the Kentucky Association of Health Care Facilities, the Kentucky Center for Assisted Living, and LeadingAge Kentucky.*

(2) The cabinet shall provide training for surveyors and investigators who perform duties related to KRS 216.537 to 216.590.

(3) *The Cabinet for Health and Family Services and representatives of long-term care provider associations shall evaluate and discuss opportunities for joint training no less than annually or upon the release of any new regulatory guideline, regulation, interpretation, program letter, or memorandum, or, if permitted by CMS, any other new materials used in surveyor training.*

(4) *The cabinet shall invite representatives of long-term care provider associations to participate in the planning process for any joint surveyor and provider training session, which may be held in person or remotely.*

(5) (a) *The cabinet may seek approval from CMS to utilize money from the Civil Money Penalty Reinvestment Program to cover the costs of joint training for surveyors and staff of long-term care facilities.*

(b) *If CMS denies the cabinet's application for funding to cover the cost of an in-person training session, the cabinet shall charge the long-term care provider associations for providing the training.*

(6) *If the training is approved by the cabinet, nothing in this section shall prohibit a long-term care provider association from offering joint training to its membership and surveyors.*

**Signed by Governor March 22, 2023.**