

# ***ANALYSIS OF HOUSE BILL 1024***

## ***Shortening the notice time given by nursing homes to the department of health to convert beds back to nursing home beds.***

***SPONSORS:*** *Representatives Dyer, Cody, Skinner, Sherstad, Thompson, Carlson, D. Sommers, Sterk, Huff, L. Thomas, Cooke, Dunn, Mielke, Clements and Backlund.*

***BACKGROUND:*** The Certificate of Need program is administered by the Department of Health as a cost containment program designed to ensure the construction, development or acquisition of only those new health care facilities and services which promote access to high quality and needed care at reasonable costs. Nursing homes are among the facilities covered under the Certificate of Need law.

A Certificate of Need is required of a nursing home in order to increase the number of nursing home beds in the facility. However, the law provides that a nursing home may bank— or hold in reserve any current beds in order to use the space for other purposes. These purposes include providing assisted living arrangements, boarding home care, adult day care, respite care, hospice care, outpatient therapy services, congregate meals, home health services, senior wellness clinics, reducing the number of beds per room, or for any purpose that enhances the quality of life for residents.

Nursing home beds banked— or held in reserve may be reconverted or restored without a Certificate of Need. If construction is required to restore the banked beds, notice of intent to reconvert must be given to the Department no later than two years after the modification. Otherwise, a one-year notice is required.

***SUMMARY:*** A nursing home is required to give the Department of Health a notice of intent to restore beds banked— or held in reserve not later than 90 days of the modification. The one-year notice requirement, or the two-year notice requirement if construction is necessary, is correspondingly repealed.

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