

216B.332 Requirements for certificate of compliance -- Assessment of residents in nursing home beds -- Limitations upon admission to nursing home beds -- Move-out notice and alternative living arrangements -- Certificate of need not required to provide home health services to on-campus residents.

- (1) To be eligible for a certificate of compliance, a continuing care retirement community shall certify in writing to the cabinet and shall disclose in writing to each of its residents that:
 - (a) None of the health facilities or health services operated by the continuing care retirement community shall apply for or become certified for participation in the Medicaid program; and
 - (b) No claim for Medicaid reimbursement shall be submitted for any person for any health service provided by the continuing care retirement community.
- (2) A continuing care retirement community may establish one (1) bed at the nursing home level of care for every four (4) living units or personal care beds operated by the continuing care retirement community collectively. All residents in nursing home beds shall be assessed using the Health Care Financing Administration or Centers for Medicare and Medicaid Services approved long-term care resident assessment instrument.
- (3) Admissions to continuing care retirement community nursing home beds shall be exclusively limited to on-campus residents. A resident shall not be admitted to a continuing care retirement community nursing home bed prior to ninety (90) days of residency in the continuing care retirement community unless the resident experiences a significant change in health status documented by a physician. No resident admitted to a nursing home bed shall be transferred or discharged without thirty (30) days prior written notice to the resident or his or her guardian.
- (4) A continuing care retirement community shall assist each resident upon a move-out notice to find appropriate living arrangements. Each continuing care retirement community shall share information on alternative living arrangements provided by the Department for Aging and Independent Living at the time a move-out notice is given to a resident. The written agreement executed by the resident and the continuing care retirement community shall contain provisions for assisting any resident who has received a move-out notice to find appropriate living arrangements, prior to the actual move-out date.
- (5) Home health services provided by a continuing care retirement community to its on-campus residents shall not require a certificate of need.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 90, sec. 1, effective July 12, 2012. -- Amended 2007 Ky. Acts ch. 24, sec. 24, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 61, effective June 20, 2005. -- Created 2000 Ky. Acts ch. 264, sec. 6, effective July 14, 2000.