

SECOND REGULAR SESSION

HOUSE BILL NO. 1719

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HARLAN, BARRY, HILGEMANN, KELLY (27), HOLT, FRASER, WHORTON, BRAY (Co-sponsors), LOWE, COPENHAVER, VAN ZANDT, HAYWOOD, HENDRICKSON, HOLLINGSWORTH, GREEN (15), MOORE, JOHNSON (61) AND BOWMAN.

Read 1st time January 30, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4282L.011

AN ACT

To amend chapter 198, RSMo, by adding thereto one new section relating to the establishment of a long-term care trust fund.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 198, RSMo, is amended by adding thereto one new section, to be known as section 198.645, to read as follows:

198.645. 1. There is hereby created in the state treasury a special trust fund to be known as the "Missouri Quality Care Trust Fund", which shall consist of all moneys from the intergovernmental transfer fund (IGT) included in the fiscal year 2003 state budget. The fund shall be administered by the department of health and senior services. Upon appropriation, money in the fund shall be used solely for the initiatives and programs established in this section.

2. All moneys in the fund shall be held in the fund and shall not be subject to appropriation during fiscal year 2003 in the event the federal government through the Centers for Medicare and Medicaid Services declares that the state of Missouri must refund such moneys.

3. If the federal government does not reclaim such moneys during fiscal year 2003, one-tenth of the moneys in the fund each year shall be used for quality of care grants for the specific purpose of establishing and funding long-term care initiatives on minimum staffing requirements for long-term care facilities, establishing a career ladder and continuing education program for direct caregivers who provide care in long-term care facilities, and establishing a certified nursing assistant (CNA) training, mentoring, and scholarship program.

18 **4. In establishing the initiatives and programs pursuant to subsection 3 of this**
19 **section, the general assembly may enact specific legislation to start such initiatives and**
20 **programs or may direct the department of health and senior services to develop such**
21 **initiatives and programs.**

22 **5. Any initiative or program established pursuant to this section shall be**
23 **reevaluated by the general assembly every ten years after the establishment of such**
24 **initiative or program to determine whether such initiative or program is successful in**
25 **improving the quality of care for residents in long-term care facilities. If the general**
26 **assembly determines that such initiative or program is successful, the initiative or program**
27 **shall continue. If the general assembly determines that such initiative or program has not**
28 **been successful, the initiative or program shall be terminated.**

29 **6. The department of health and senior services may promulgate rules to implement**
30 **the provisions of this section. No rule or portion of a rule promulgated under the authority**
31 **of this section shall become effective unless it has been promulgated pursuant to chapter**
32 **536, RSMo.**

33 **7. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
34 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**
35 **the general revenue fund.**

36 **8. The state treasurer shall invest moneys in the fund in the same manner as other**
37 **funds are invested. Any interest and moneys earned on such investments shall be credited**
38 **to the fund.**