

SECOND REGULAR SESSION

HOUSE BILL NO. 1945

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BARRY, CAMPBELL, OSTMANN, FARES, RIDGEWAY,
WILLIAMS, BOYKINS (Co-sponsors), CIERPIOT, WILSON (42) AND PHILLIPS.

Read 1st time February 14, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3818L.011

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to nonhospital certificates of need, with an emergency clause.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be
2 known as section 197.370, to read as follows:

**197.370. 1. As used in this section, the term "continuing care retirement
2 community" means:**

3 **(1) Housing planned and operated to provide a continuum of care or**
4 **accommodations for older adults allowing residents who require higher levels of care to**
5 **remain in the same location as spouses and friends, including:**

6 **(a) "Congregate housing", individual apartments or single rooms in a multi-unit**
7 **building planned and designed for older adults and which provide supportive services,**
8 **such as meals, transportation, and housekeeping, and social and recreational activities;**

9 **(b) "Independent living", a building or buildings with self-contained living units**
10 **for older adults who are able to care for themselves and no medical services are provided.**
11 **Management of such living units may facilitate minimal access to community services and**
12 **provide recreational services for voluntary use by residents;**

13 **(c) "Intermediate care" and "skilled nursing care", care licensed pursuant to this**
14 **chapter to provide regular medical supervision and rehabilitation therapy, and general**
15 **care for convalescent patients and persons with long-term or chronic illnesses; and**

16 **(d) "Residential care", care licensed pursuant to this chapter to provide custodial**
17 **services such as housekeeping, meals, transportation, social and recreational activities, and**
18 **nursing and nurses' aides assistance with activities of daily living, such as getting out of**

19 **bed, dressing, grooming, toileting and bathing, mobility, taking medications, and other**
20 **household tasks; and**

21 **(2) Services provided through contracts which provide for services for more than**
22 **one year and may include significant entrance or endowment fees in addition to monthly**
23 **charges.**

24 **2. Continuing care retirement communities shall be exempt from the certificate of**
25 **need process pursuant to sections 197.300 to 197.367 for the addition of long-term care**
26 **beds, including the addition of residential care beds and skilled nursing beds to campuses**
27 **that meet the definition of continuing care retirement community upon completion of the**
28 **addition and any proposed project that meets the definition of continuing care retirement**
29 **community upon completion.**

30 **3. Any skilled nursing facility, as defined in section 198.006, RSMo, that has been**
31 **licensed for more than three years and has failed to achieve an occupancy level for the last**
32 **six quarters of fifty-five percent or higher shall relinquish to the division of aging the beds**
33 **in excess of sixty-five percent of the facility's licensed beds. The facility may reacquire**
34 **such beds after obtaining a ninety percent occupancy on the remaining beds for four**
35 **consecutive quarters.**

36 **4. Any person who owns a continuing care retirement community may:**

37 **(1) Relocate beds to any other continuing care retirement community location**
38 **owned by such person; or**

39 **(2) Change the licensure category of beds and relocate them to any other continuing**
40 **care retirement community location owned by such person.**

Section B. Because immediate action is necessary to provide a continuum of care to the
2 elderly, section A of this act is deemed necessary for the immediate preservation of the public
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
4 meaning of the constitution, and section A of this act shall be in full force and effect upon its
5 passage and approval.