

SENATE BILL NO. 399
INTRODUCED BY PINSONEAULT

IN THE SENATE

FEBRUARY 11, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
FEBRUARY 17, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 20, 1989	PRINTING REPORT.
	SECOND READING, DO PASS.
	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.
	FIRST READING.
MARCH 16, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 28, 1989	SECOND READING, CONCURRED IN.
MARCH 29, 1989	THIRD READING, CONCURRED IN. AYES, 97; NOES, 0.
	RETURNED TO SENATE.

MARCH 29, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 399
2 INTRODUCED BY Sen. Russell
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD
5 FOR COMPUTING PROPERTY COSTS FOR INTERMEDIATE CARE
6 FACILITIES FOR THE MENTALLY RETARDED SO THEY EQUAL THOSE OF
7 ALL OTHER INTERMEDIATE CARE FACILITIES; DIRECTING AN
8 AMENDMENT TO RULE 46.12.1204, ADMINISTRATIVE RULES OF
9 MONTANA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
10

11 WHEREAS, present rules relating to nursing homes that
12 furnish care for mentally retarded patients provide nearly
13 insurmountable hurdles and no incentives to selling the
14 business; and

15 WHEREAS, rules adopted by the Department of Social and
16 Rehabilitation Services allow all other intermediate care
17 facilities in the state, except for those that care for the
18 mentally retarded, a method for determining a price for the
19 sale of a facility that allows a new owner to receive a fair
20 rate of return on investment that justifies the purchase of
21 the facility.
22

23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 NEW SECTION. Section 1. Department to amend rule. The
25 department of social and rehabilitation services shall amend

1 rule 46.12.1204, Administrative Rules of Montana, to allow
2 the sale of an intermediate care facility for the mentally
3 retarded that is made after July 1, 1982, to have property
4 costs computed for the new owner at the greater of
5 historical costs or the rate used for all other intermediate
6 care facilities.

7 NEW SECTION. Section 2. Effective date. [This act] is
8 effective on passage and approval.

-End-

APPROVED BY COMM. ON
FINANCE AND CLAIMS

SENATE BILL NO. 399

INTRODUCED BY PINSONEAULT

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD FOR COMPUTING PROPERTY COSTS FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED SO THEY EQUAL THOSE--OF THE LESSER OF HISTORICAL COSTS OR THE RATE USED FOR ALL OTHER INTERMEDIATE CARE FACILITIES; DIRECTING AN AMENDMENT TO RULE 46.12.1204, ADMINISTRATIVE RULES OF MONTANA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, present rules relating to nursing homes that furnish care for mentally retarded patients provide nearly insurmountable hurdles and no incentives to selling the business; and

WHEREAS, rules adopted by the Department of Social and Rehabilitation Services allow all other intermediate care facilities in the state, except for those that care for the mentally retarded, a method for determining a price for the sale of a facility that allows a new owner to receive a fair rate of return on investment that justifies the purchase of the facility.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Department to amend rule.

The department of social and rehabilitation services shall amend rule 46.12.1204, Administrative Rules of Montana, to allow the sale of an intermediate care facility for the mentally retarded that is made after July 1, 1982, to have property costs computed for the new owner at the **greater** LESSER of historical costs or the rate used for all other intermediate care facilities, SUBJECT TO THE LIMITATIONS IN 42 U.S.C. 1396A(A)(13)(C).

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

-End-

SECOND READING

1 SENATE BILL NO. 399

2 INTRODUCED BY PINSONEAULT

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8 OTHER INTERMEDIATE CARE FACILITIES; DIRECTING AN AMENDMENT
9 TO RULE 46.12.1204, ADMINISTRATIVE RULES OF MONTANA; AND
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10 effective on passage and approval.

-End-

REFERENCE BILL

SB 399

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