HOUSE DOCKET, NO. FILED ON: 1/8/2009

**HOUSE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Brian S. Dempsey**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to reserving beds in nursing homes for residents during certain leaves of absence.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Brian S. Dempsey | 3rd Essex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 607 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act relative to reserving beds in nursing homes for residents during certain leaves of absence.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

 Section 14A of chapter 118E of the General Laws is hereby amended by adding the following paragraphs:

In the event that a nursing facility resident who is a MassHealth recipient enters a hospital, the division shall pay to preserve his or her bed in the nursing facility for a period of up to10 days.  The division shall reimburse the nursing facility for the medical leave of absence, which shall include an observation stay in a hospital in excess of twenty-four hours, at the recipient’s pre-absence rate during the medical leave and upon the resident’s return.

In the event that a nursing facility resident who is a MassHealth recipient leaves the nursing facility for non-medical reasons, the division shall pay to preserve his or her bed in the facility for a period of up to 15 days.  The division shall reimburse the nursing facility for the non-medical leave of absence at the recipient’s pre-absence rate during the non-medical leave and upon the resident’s return.