

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Human Services and Early Childhood

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO: None

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Cheyenne Ross, Administrator

Meeting Dates: 5/14

WHAT THE MEASURE DOES: Prohibits Department of Human Services from granting license to residential care facility, as defined, absent a market study on need for services in the area. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: Following a moratorium on new licenses, legislative changes were made in 2008 requiring the Department of Human Services (DHS) to consider four different factors prior to the initial licensure of a residential care facility: 1) The applicant's history of regulatory compliance and operational experience; 2) the need in the local community for the services offered as demonstrated by a market study; 3) the applicant's willingness to serve underserved populations; and 4) the applicant's willingness to serve Medicaid recipients. No one factor on its own was intended to qualify or disqualify an applicant from initial licensure.

House Bill 2413-A prohibits DHS from granting new licenses to residential care facilities if a market study to determine the need for such services in the geographic area has not been conducted.

House Committee: 7 – 2 – 0

House Floor: 51 – 9 – 0