

CHAPTER 69  
FORMERLY  
SENATE BILL NO. 140  
AS AMENDED BY  
SENATE AMENDMENT NOS. 1 & 3

AN ACT TO AMEND TITLE 30, TITLE 16 OF THE DELAWARE CODE, AND THE LAWS OF DELAWARE RELATING TO NURSING HOMES AND QUALITY ASSESSMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6502, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6502 Quality assessment

(b) The quality assessment fees for each non-Medicare resident day shall:

(1) For assessment periods ending prior to June 1, 2013, not exceed:

a. \$14 per non-Medicare resident day for each nursing facility that is described in paragraph (d)(2) of this section; and

b. \$16 per non-Medicare resident day for all other nursing facilities subject to the quality assessment; and

(2) For assessment periods beginning on and after June 1, 2013, be in amounts determined by the Secretaries of the Department of Finance and the Department of Health and Social Services on an annual basis, not later than May 1, which amounts shall not exceed:

a. \$14 per non-Medicare resident day for each nursing facility that is described in paragraph (d)(2) of this section; and

b. \$26 per non-Medicare resident day for all other nursing facilities subject to the quality assessment.

(3) For assessment periods beginning on or after June 1, 2016, be in amounts determined by the Secretaries of the Department of Finance and the Department of Health and Social Services on an annual basis, not later than May 1, which amounts shall not exceed:

a. \$19 per non-Medicare resident day for each nursing facility that is described in paragraph (d)(2) of this section; and

b. \$35 per non-Medicare resident day for all other nursing facilities subject to the quality assessment.

(4) The rates in a and b can be modified if required by the Centers for Medicare and Medicaid to meet the redistribution test of 42 CFR433.68(e)(2);

(5) The quality assessment fees in the aggregate for all facilities assessed will not exceed the maximum allowed under federal law.

Section 2. Amend the Laws of Delaware, Volume 79, Chapter 358, by making deletions as shown by strike through and insertions as shown by underline as follows:

~~(b) If not earlier repealed under section (a) of this section, the quality assessment imposed by §6502 of Title 30 and the payments referred to by §10503, (a) (1) and (2) of Title 16 shall be repealed and no further obligation to pay the quality assessment shall continue for the calendar quarters beginning after December 31, 2018.~~

Section 3. Amend the Laws of Delaware, Volume 78, Chapter 286, by making deletions as shown by strike through and insertions as shown by underline as follows:

~~(b) If not earlier repealed under section (a) of this section, the quality assessment imposed by §6502 of Title 30 and the payments referred to by §10503, (a) (1) and (2) of Title 16 shall be repealed and~~

~~no further obligation to pay the quality assessment shall continue for the calendar quarters beginning after  
December 31, 2015.~~

Approved June 30, 2015