

HB 1525-FN-A - AS INTRODUCED

2022 SESSION

22-2022

12/05

HOUSE BILL

1525-FN-A

AN ACT

establishing a county nursing home capital reserve fund.

SPONSORS:

Rep. Aron, Sull. 7; Rep. Edwards, Rock. 4; Rep. Steven Smith, Sull. 11; Rep. Sullivan, Sull. 1; Rep. M. Pearson, Rock. 34; Rep. Emerick, Rock. 21; Rep. Cloutier, Sull. 10; Rep. Stapleton, Sull. 5; Sen. Prentiss, Dist 5; Sen. Ward, Dist 8

COMMITTEE:

Ways and Means

ANALYSIS

This bill establishes a county nursing home capital reserve fund for the purpose of providing grants for renovations or new construction. This bill also makes an appropriation to the fund.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing a county nursing home capital reserve fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraph; County Nursing Home Capital Reserve Fund. Amend RSA 6:12, I(b) by
2 inserting after subparagraph (382) the following new subparagraph:

3 (383) Moneys deposited in the county nursing home capital reserve fund under RSA
4 151-J.

5 2 New Chapter; County Nursing Home Capital Reserve Fund. Amend RSA by inserting after
6 chapter 151-I the following new chapter:

7 CHAPTER 151-J

8 COUNTY NURSING HOME CAPITAL RESERVE FUND

9 151-J:1 County Nursing Home Capital Reserve Fund Established.

10 I. There is hereby established within the office of the state treasurer a nonlapsing fund to be
11 known as the county nursing home capital reserve fund. The fund shall be administered by the
12 commissioner of the department of health and human services. The fund shall be kept separate and
13 distinct from all other funds and shall be continually appropriated for the purpose of distributing
14 grants to counties to provide financial assistance for major renovations to, or new building of, a
15 county nursing home facility.

16 II. In addition to state appropriations, the commissioner may accept gifts, grants, and
17 donations for deposit into the fund.

18 III. Any federal funds received by the state for the purpose of nursing home renovation or
19 construction, that are not otherwise committed to other programs or required by the federal
20 legislation authorizing the funds, shall be deposited into the county nursing home capital reserve
21 fund. The commissioner shall apply for any federal funding that qualifies for deposit under this
22 paragraph.

23 151-J:2 County Nursing Home Capital Reserve Fund Eligibility and Disbursements.

24 I. Grants from the county nursing home capital reserve fund established in RSA 151-J:1
25 shall be available to any county for the purpose of financing the renovation or construction of a
26 county nursing home facility. Grant funds shall be limited to projects with a total estimated cost of
27 at least \$5 million.

28 II. Funds shall be allocated as a percentage of the portion of long term care beds in that
29 county that are located at the county nursing home facility. Priority shall be granted to nursing
30 homes with the larger percentage of long term care beds in their facility when compared to other
31 county nursing homes.

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1 III. The commissioner of the department of health and human services shall disburse grants
2 as a single payment at any stage of the project. Projects shall be eligible to apply for an additional
3 grant in any subsequent year.

4 IV. The commissioner shall adopt rules pursuant to RSA 541-A, relative to developing grant
5 application forms and procedures, establishing deadlines for the submission of applications and the
6 awarding of grants, and establishing criteria for awarding and disbursing grants, pursuant to this
7 section. Said rules shall be adopted within 30 days of the effective date of this act.

8 V. No later than July 1, 2023, and annually thereafter, the department of health and human
9 services shall issue a report to the governor, senate president, speaker of the house of
10 representatives, and the state library, detailing the number of grants awarded, the county nursing
11 homes receiving grants and the grant amount, the county nursing homes that applied for grants but
12 did not receive a grant due to insufficient funds, the unencumbered balance of the fund, and any
13 other information the department deems appropriate.

14 3 Appropriation; County Nursing Home Capital Reserve Fund. The sum of \$25,000,000 for the
15 fiscal year ending June 30, 2022, is appropriated to the department of health and human services for
16 deposit in the county nursing home capital reserve fund established in RSA 151-J:1. This sum shall
17 be in addition to any other funds appropriated to the department of health and human services. The
18 governor is authorized to draw a warrant for said sum out of any other money in the treasury not
19 appropriated.

20 4 Annual Appropriation. The sum of \$15,000,000 shall be appropriated annually to the
21 department of health and human services for deposit in the county nursing home capital reserve
22 fund established in RSA 151-J:1 if the balance of said fund is less than \$30,000,000. This sum shall
23 be in addition to any other funds appropriated to the department of health and human services. The
24 governor is authorized to draw a warrant for said amount out of any money in the treasury not
25 otherwise appropriated. Sums appropriated in accordance with this section shall be a continuing
26 appropriation and shall not lapse.

27 5 Effective Date. This act shall take effect June 30, 2022.

**HB 1525-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a county nursing home capital reserve fund.

FISCAL IMPACT: ☒ **State** ☒ **County** ☐ **Local** ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$25 million	Up to \$15 million	Up to \$15 million	Up to \$15 million
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill establishes a county nursing home capital reserve fund, to be administered by the Department of Health and Human Services. The bill makes an initial general fund appropriation of \$25 million in FY22, to be followed by annual appropriations of \$15 million thereafter, provided that the balance in the fund is less than \$30 million. Funding shall be limited to projects with a total estimated cost of at least \$5 million, and projects shall be determined by the Department based on a process to be established in administrative rules.

The Department states that although the bill makes appropriations for grant awards, it does not contain an appropriation for staffing, IT systems, or other operational costs of administering the program. The Department anticipates such costs will increase state general fund expenditures by a "significant" but indeterminable amount.

In addition, the bill allows for deposits of gifts, grants, and donations into the newly-created fund, resulting in an indeterminable impact on state revenues.

The bill has an effective date of June 30, 2022, so other than the initial appropriation, any fiscal impact is assumed to begin in FY23.

AGENCIES CONTACTED:

Department of Health and Human Services