

CHAPTER 167  
SB 283 – FINAL VERSION

03/21/12 0897s

2012 SESSION

12-2824  
06/05

SENATE BILL **283**

AN ACT relative to disposition of nursing home patient accounts.

SPONSORS: Sen. Lambert, Dist 13; Sen. Barnes, Jr., Dist 17; Sen. Boutin, Dist 16; Sen. Carson, Dist 14; Sen. D'Allesandro, Dist 20; Sen. Gallus, Dist 1; Sen. Luther, Dist 12; Sen. Odell, Dist 8; Sen. Sanborn, Dist 7; Sen. Stiles, Dist 24; Rep. Day, Hills 7; Rep. Millham, Belk 5; Rep. Cebrowski, Hills 18

COMMITTEE: Health and Human Services

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ANALYSIS

This bill modifies the requirements for disposition of the personal property of a nursing home patient after the patient's death.

This bill is a request of the department of health and human services.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                   relative to disposition of nursing home patient accounts.

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

1           167:1 Nursing Home Administrators; Patient Accounts; Disposition Upon Death. Amend RSA  
2 151-A:15 to read as follows:

3           151-A:15 Patient Accounts; Disposition Upon Death; Testate or Intestate.

4           I. If within ~~[180]~~ **30** days after the date of a testate or intestate patient's death in any  
5 nursing home no petition for probate has been filed under any section of RSA 553 and the gross value  
6 of the personal property remaining at the nursing home belonging to the deceased, including any  
7 amount left in a patient account, is no more than ~~[\$2,500]~~ **\$5,000**, the nursing home administrator  
8 shall file in the probate court in the county where the nursing home is located an affidavit for the  
9 purpose of disposing of such deceased patient's estate. The form of the affidavit, and the rules  
10 governing proceedings under this section, shall be provided by the probate court pursuant to  
11 RSA 547:33. The nursing home administrator shall not file a death certificate with the probate  
12 court, but shall attest to the death in the affidavit. If the nursing home patient died testate and if  
13 the nursing home administrator has the will or a copy of the will, the nursing home administrator  
14 shall file the same in the probate court in the county where the nursing home is located. The probate  
15 court shall waive all filing fees.

16           II. Notwithstanding the provisions of RSA 561, if all known debts of the deceased have been  
17 paid and a balance remains in the deceased's estate after the filing required under paragraph I, the  
18 probate court ~~[shall]~~ **may** order the administrator to pay the balance ~~[into the treasury of the county~~  
19 ~~where the deceased was domiciled, where it shall be subject to the claims of persons entitled to it,~~  
20 ~~through application to the county commissioners]~~ **to the state treasurer to be held as abandoned**  
21 **property pursuant to RSA 471-C.**

22           167:2 Effective Date. This act shall take effect upon its passage.

23 Approved: June 7, 2012

24 Effective Date: June 7, 2012