

HB26-1018: Nursing Home Transitions

House Sponsors: Representatives Joseph and Jackson

Senate Sponsors: Senator Amabile

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Bill Summary:

HB26-1018 ensures that individuals leaving nursing facilities do not experience gaps in care by establishing presumptive Medicaid eligibility for long-term services and supports (LTSS) prior to discharge. The bill requires the Department of Health Care Policy and Financing (HCPF) to quickly determine functional eligibility, directs counties to enroll individuals in needed services before discharge, and holds systems accountable when delays occur. It also increases transparency through annual public reporting.

Issue:

Too many Coloradans who are ready to leave nursing facilities face dangerous delays in accessing home- and community-based services due to slow or fragmented eligibility determinations.

Key issues include:

- Gaps in care when services are not approved before discharge, putting individuals at risk of rehospitalization or institutionalization.
- Administrative delays between the state, counties, and nursing facilities that leave people stuck in facilities longer than medically necessary.
- Lack of accountability and data, making it difficult to identify where and why discharge planning breaks down.
- Unnecessary costs to the state when individuals remain in higher-cost institutional settings instead of transitioning safely to community care.

Solution:

HB26-1018 creates a streamlined, accountable process to ensure services are in place before a person leaves a nursing facility by:

- Establishing presumptive Medicaid eligibility for long-term services and supports for individuals transitioning out of nursing facilities.
- Requiring rapid action, including:
 - Functional eligibility assessments within one business day
 - County enrollment in services within three business days
- Ensuring services are ready before discharge, including required prior authorizations.
- Holding systems accountable with remedial measures when counties or facilities fail to meet requirements.
- Increasing transparency through annual reporting and potential state audits to identify delays and system failures.
- Protecting counties from financial penalties if an individual later turns out to be ineligible.

HB26-1018 helps older adults and people with disabilities transition safely out of nursing facilities, supports independence and dignity, and saves taxpayer dollars by preventing unnecessary institutional care.



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