

SECOND REGULAR SESSION

HOUSE BILL NO. 1230

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHNEIDER (Sponsor) AND DEEKEN (Co-sponsor).

Read 1st time January 22, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4177L.01I

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to nonhospital certificates of need, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.369, to read as follows:

197.369. 1. As used in this section, the term "continuing care retirement community" means:

(1) Housing planned and operated to provide a continuum of care or accommodations for older adults allowing residents to age in place and may require higher levels of care to remain in the same location as spouses and friends. Such communities shall include:

(a) "Congregate housing", individual apartments or single rooms in a multi-unit building planned and designed for older adults and which provide supportive services, such as meals, transportation, and housekeeping, and social and recreational activities;

(b) "Independent living", a building or buildings with self-contained living units for older adults who are able to care for themselves. Management of such living units may facilitate minimal access to community services and provide recreational services for voluntary use by residents;

(c) "Intermediate care" and "skilled nursing care", care licensed pursuant to chapter 198, RSMo;

(d) "Residential care I and II", care licensed pursuant to chapter 198, RSMo; and

(2) Services provided through contracts which provide for services for more than one year and may include significant entrance or endowment fees in addition to monthly

19 charges.

20 **2. Continuing care retirement communities consisting of a minimum of seventy-five**
21 **independent living apartments or congregate housing units, a minimum of thirty**
22 **residential care I or II beds, and a minimum of thirty intermediate or skilled nursing beds**
23 **shall be exempt from the certificate of need process pursuant to sections 197.300 to 197.367**
24 **for the addition of long-term care beds, including the addition of residential care beds and**
25 **skilled nursing beds to campuses that are planned to meet the definition of continuing care**
26 **retirement community upon completion. Completion shall be achieved in a reasonable**
27 **time frame with uninterrupted construction; except that, the intermediate or skilled**
28 **nursing component's start of construction may be postponed for up to three years after the**
29 **initial licensure of the residential care facility beds to allow the resident population to age**
30 **in place. To qualify under this section, a facility shall meet the definition of continuing**
31 **care retirement community upon completion of construction and shall contain independent**
32 **living or congregate housing, residential care beds, and intermediate or skilled nursing**
33 **beds which are all located on contiguous land.**

34 **3. Any person who owns a continuing care retirement community may:**

35 **(1) Relocate beds to any other continuing care retirement community location**
36 **owned by such person; or**

37 **(2) Change the licensure category of beds and relocate them to any other continuing**
38 **care retirement community location owned by such person.**

Section B. Because immediate action is necessary to provide a continuum of care to the
2 elderly, section A of this act is deemed necessary for the immediate preservation of the public
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
4 meaning of the constitution, and section A of this act shall be in full force and effect upon its
5 passage and approval.