

HOUSE BILL NO. HB0228

Long term care pilot project.

Sponsored by: Representative(s) Iekel and Senator(s) Hastert

A BILL

for

1 AN ACT relating to licensing and operation of nursing care  
2 facilities; authorizing an alternative eldercare long term  
3 care pilot program; amending a definition; granting  
4 rulemaking authority; providing an appropriation; and  
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 35-2-913 is created to read:

10

11 **35-2-913. Alternative eldercare home pilot program**  
12 **authorized.**

13

14 (a) The legislature finds that a public good is  
15 served by the development of housing and care facilities  
16 that serve members of the elder population who are unable

1 to care for themselves in their own homes and who wish to  
2 live with dignity and enjoyment and a level of care  
3 necessary to support their needs.

4

5 (b) Five (5) regional pilot program grants are  
6 authorized to study and verify the feasibility of long term  
7 care through alternative eldercare homes. Each grant shall  
8 be awarded by the department to communities which wish to  
9 survey their area for needs and develop a plan for  
10 providing alternative eldercare in the area. The  
11 department shall distribute grants among the applicants in  
12 a manner which will best determine in a timely manner the  
13 effectiveness of the alternative eldercare approach to long  
14 term care of the elderly.

15

16 (c) Each grant proposal shall include a requirement  
17 for a local match of twenty-five percent (25%) of the grant  
18 amount.

19

20 (d) For communities that have completed a needs  
21 study, the grant funding may be used for design and  
22 development of the facility and the organization which will  
23 operate the facility.

24

1           (e) The department shall work with local communities  
2 in the development of rules and regulations which are  
3 compatible with the culture of the homes and which will  
4 assure appropriate licensure for the care provided and the  
5 needs of the elder residents.

6

7           (f) The department shall distribute grants among the  
8 grantees in a manner which will best facilitate the pilot  
9 projects and determine the effectiveness of this approach  
10 to elder care in a timely manner.

11

12           (g) As a condition of receiving the grants, each  
13 grantee shall:

14

15                 (i) Agree to provide training and reports to  
16 other parties in the state interested in the alternative  
17 eldercare concept;

18

19                 (ii) Agree to and in fact accept patients  
20 qualified under the Medical Assistance and Services Act,  
21 Title XVIII of the federal Social Security Act, who seek  
22 care which the facility is qualified to provide.

23

24           (h) For purposes of this section:

1

2 (i) "Alternative eldercare home" means a  
3 facility and program which:

4

5 (A) Provides housing to no more than ten  
6 (10) residents per house at the same time;

7

8 (B) Provides services and care at the  
9 highest level required by a resident and as permitted under  
10 the applicable facility;

11

12 (C) Shall be licensed as a health care  
13 facility pursuant to W.S. 35-2-901(a)(x);

14

15 (D) Creates environments that allow long-  
16 term residents to develop lasting relationships with other  
17 residents and staff;

18

19 (E) Maintains residences as units  
20 independent from each other and from other facilities such  
21 that there is no physical connection or shared roof  
22 structures between houses;

23

1 (F) Provides, at a minimum, a private  
2 bedroom and full bath for each resident;

3

4 (G) Provides services to Medicaid supported  
5 residents at the Medicaid reimbursement rates;

6

7 (H) Provides a secured exterior patio or  
8 garden with covered seating for each house accessible by  
9 all residents including those with wheelchairs and  
10 assistive devices;

11

12 (J) Maintains all common spaces within the  
13 house, including secured exterior space, accessible and  
14 open to all residents during waking hours;

15

16 (K) Provides for locked storage of  
17 hazardous materials and control of kitchen access during  
18 high traffic periods of meal preparation and clean-up;

19

20 (M) Provides an office within each house  
21 for use as a nurses' station;

22

23 (N) Provides a common area in each house  
24 including a seating area;

1

2 (O) Provides a den in each house to  
3 accommodate television viewing and limited overnight  
4 guests;

5

6 (P) Provides public and staff bathroom  
7 facilities;

8

9 (Q) Creates a residential home environment  
10 in all aspects, using residential materials and designs  
11 appropriate to the style of the neighborhood;

12

13 (R) Implements a self-managed work team  
14 approach to in-house and clinical support staffing. Each  
15 house shall have its own core in-house staffing that is  
16 specific and dedicated to a single house;

17

18 (S) Provides workspace for clinical support  
19 team members in a building separate from the house;

20

21 (T) Is fully committed to a restraint free  
22 environment;

23

1 (U) Maintains a lift free environment by  
2 providing ceiling lifts in each resident's bedroom and  
3 bathroom;

4  
5 (W) Implements a culture of learning and  
6 participation by the residents and honors the elderhood  
7 stage of life.

8  
9 (ii) "Community" means a city, town or county.

10

11 **Section 2.** W.S. 35-2-901(a)(xxiv) is amended to read:

12

13 **35-2-901. Definitions; applicability of provisions.**

14

15 (a) As used in this act:

16

17 (xxiv) "This act" means W.S. 35-2-901 through  
18 ~~35-2-912~~ 35-2-913.

19

20 **Section 3.** For purposes of the alternative eldercare  
21 grant program created by this act, there is appropriated to  
22 the department of health from the general fund two hundred  
23 fifty thousand dollars (\$250,000.00) for the fiscal biennium  
24 ending June 30, 2008.

1

2       **Section 4.** This act is effective July 1, 2007.

3

4

(END)