

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

445H0554

HOUSE ENGROSSED NO. **HCR 1014** - 02/08/2002

Introduced by: Representatives Nachtigal and Bartling and Senator Hutmacher

1 A CONCURRENT RESOLUTION, Urging Congress to revise eligibility requirements for
2 certain Medicaid recipients of long-term care assistance.

3 WHEREAS, federal regulations currently provide that Medicaid to individuals in medical
4 institutions, nursing facilities, and intermediate care facilities for the mentally retarded is effective
5 with the first day of a period of not less than thirty consecutive days of institutionalization; and

6 WHEREAS, this requirement applies if an eligible individual's income minus twenty dollars
7 is greater than the Supplemental Security Income standard but less than three hundred percent
8 of the Supplemental Security Income standard; and

9 WHEREAS, this requirement precludes a nursing facility from recovering any amount for
10 long-term care provided to these individuals for periods of stay that are less than thirty
11 consecutive days; and

12 WHEREAS, nursing facilities are struggling financially in South Dakota and should be paid
13 for the care provided to individuals who pass away before residing in the nursing facility for
14 thirty consecutive days:

15 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-



1 seventh Legislature of the State of South Dakota, the Senate concurring therein, that Congress
2 be urged to revise the regulation that precludes coverage for certain Medicaid eligible residents
3 of nursing facilities unless they have been residents of the facility for thirty consecutive days and
4 instead provide payment for these individuals upon the first day of institutionalization.