

House Engrossed

ALTCS; preadmission screening; cognitive impairment

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2182

AN ACT

AMENDING SECTION 36-2936, ARIZONA REVISED STATUTES; RELATING TO THE
ARIZONA LONG-TERM CARE SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-2936, Arizona Revised Statutes, is amended to
3 read:

4 36-2936. Preadmission screening programs; functional tests;
5 screening review; rules

6 A. The director shall adopt rules establishing a uniform statewide
7 preadmission screening program to determine if a person who has met the
8 eligibility criteria prescribed in section 36-2934 is eligible for
9 institutional services pursuant to this article. To be eligible for
10 institutional services or home and community based services ~~as defined in~~
11 ~~section 36-2931~~, a person shall have a nonpsychiatric medical condition or
12 have a developmental disability as defined in section 36-551 that, by
13 itself or in combination with other medical conditions, necessitates the
14 level of care that is provided in a nursing facility or intermediate care
15 facility. These rules shall establish a uniform preadmission screening
16 instrument that assesses the functional, medical, nursing, social and
17 developmental needs of the applicant. **FOR ELDERLY APPLICANTS AND ADULT**
18 **APPLICANTS WITH PHYSICAL DISABILITIES, THE PREADMISSION SCREENING**
19 **INSTRUMENT SHALL ALSO ASSESS COGNITIVE NEEDS REGARDING PROMPTING,**
20 **MONITORING AND SUPERVISING ACTIVITIES OF DAILY LIVING. THE PREADMISSION**
21 **SCREENING INSTRUMENT SHALL WEIGH COGNITIVE IMPAIRMENT AND PHYSICAL**
22 **IMPAIRMENT AT THE SAME WEIGHT IF THE IMPAIRMENT PRODUCES A SIMILAR LEVEL**
23 **OF FUNCTIONAL DIFFICULTY.**

24 B. A person is not eligible to receive home and community based
25 services unless that person has been determined to need institutional
26 services as determined by the preadmission screening instrument pursuant
27 to subsection D of this section. The administration shall establish
28 guidelines for the periodic reassessment of each member.

29 C. Preadmission screening conducted pursuant to subsection B of
30 this section shall be conducted telephonically or virtually, unless the
31 administration determines it is necessary to conduct the assessment in
32 person or the applicant being screened or the applicant's representative
33 requests an in-person assessment. The administration shall provide notice
34 to applicants that the purpose of preadmission screening is to conduct a
35 meaningful review of an applicant's medical needs, functional capacity,
36 social and developmental needs and emotional and cognitive behaviors. The
37 notice shall inform applicants that the applicant or the applicant's
38 representative may request an in-person assessment and may request
39 accommodations in the preadmission screening process under the Americans
40 with disabilities act of 1990.

41 D. Preadmission screening conducted pursuant to subsection B of
42 this section shall be conducted by a registered nurse who is licensed
43 pursuant to title 32, chapter 15 or by a social worker. The nurse or
44 social worker shall have a physician who is licensed pursuant to title 32,
45 chapter 13 or 17 available for consultation and may use the applicant's

1 attending physician's physical assessment form, if appropriate, in
2 assessing needs for long-term care services under this article. A
3 physician who receives a referral from the nurse or social worker may use
4 the physician's medical judgment to determine the medical eligibility of
5 an applicant for the system or the continued medical eligibility of a
6 member or eligible person. In the medical referral, the physician shall
7 use the established combined thresholds for functional ability and medical
8 condition as a guide to determine the risk of institutionalization.

9 E. If a person who is eligible for services pursuant to this
10 article, who is enrolled with a program contractor pursuant to this
11 article and who is enrolled with a program contractor pursuant to section
12 36-2940 fails the preadmission screening for institutional services
13 pursuant to subsection A of this section at the time of a reassessment,
14 the administration may administer a second preadmission screening designed
15 to measure the functioning level of the person based on rules adopted by
16 the director. If the person meets the established thresholds of the
17 functional preadmission screening, the person is eligible for home and
18 community based services pursuant to section 36-2939, subsection A,
19 paragraphs 2, 3 and 4, subsection B, paragraph 2 and subsection C. If a
20 person who is determined eligible pursuant to this subsection is
21 institutionalized pursuant to section 36-2939, including residence in an
22 intermediate care facility, institution for mental disease, inpatient
23 psychiatric facility or nursing facility, the person has a maximum of
24 ninety days to vacate the institutional setting and relocate to a home and
25 community based setting approved pursuant to section 36-2939.

26 F. If the person is determined not to need services pursuant to
27 this section, the administration shall provide the person with information
28 on other available community services.

29 G. The administration or its designee shall complete the
30 preadmission screening under subsection A of this section within eight
31 days, excluding Saturdays and holidays, and excluding the time period
32 allowed to determine eligibility pursuant to section 36-2934.

33 H. If a provider who contracts with the administration pursuant to
34 section 36-2904, subsection A is dissatisfied with any action or decision
35 of the administration regarding the eligibility of a person for the system
36 as prescribed in this article, that provider may file a grievance in
37 accordance with the provider grievance procedure prescribed in section
38 36-2932, subsection I, paragraph 1. If the director determines pursuant
39 to the grievance process that the person should have been determined
40 eligible pursuant to section 36-2933, the director may reimburse the
41 provider for the net cost of services provided pursuant to this article
42 after the cumulative time periods allowed pursuant to section 36-2934 and
43 this section.

44 I. In addition to those persons seeking services pursuant to this
45 article, the preadmission screening conducted pursuant to this section

1 shall be made available to all other persons applying for admission to a
2 nursing care institution. The cost of preadmission screenings conducted
3 by the administration pursuant to this subsection shall be borne by the
4 state. The administration shall provide nursing care institutions and the
5 general public on request with detailed information about the preadmission
6 screening program and booklets that describe in clear and simple language
7 the availability of services and benefits from the system. The booklet
8 shall:

9 1. Explain the availability of preadmission screening that will
10 assess the functional, medical, nursing and social needs of the patient
11 and make recommendations on services that meet the patient's needs as
12 identified by the preadmission screening assessment.

13 2. Describe the availability of public and private services
14 appropriate to meet the patient's needs in institutions and alternatives
15 to institutions.

16 3. Explain financial eligibility standards for the Arizona
17 long-term care system and its effect on separate and community property.

18 J. In addition to the preadmission screening program established in
19 this section, the administration shall implement the preadmission
20 screening program as set forth in section 1919 of the social security act.
21 For persons applying for admission to a title XIX certified nursing care
22 institution, an initial level I preadmission screening shall be conducted
23 by the administration on all nursing care institution applicants who are
24 applying for eligibility pursuant to section 36-2933 and by the nursing
25 care institution on all other nursing care institution applicants. The
26 administration shall develop a uniform identification screening
27 instrument, which shall be used by the nursing care institution and the
28 administration in conducting the initial level I screens. If the
29 identification screen indicates the applicant may be mentally ill, the
30 applicant shall be referred to the administration, which shall conduct the
31 level II preadmission screening review using a level II screening
32 instrument developed by the administration. If the identification screen
33 indicates the applicant may have an intellectual disability, the applicant
34 shall be referred to the department, which shall conduct the level II
35 preadmission screening review using a level II screening instrument
36 developed by the department.

37 K. Within ten working days a nursing care institution shall notify
38 the administration for a person who is mentally ill or the department of
39 economic security for a person with developmental disabilities and the
40 department of child safety if the person is a minor dependent of this
41 state about any significant change that occurs in the physical or mental
42 condition of a member who is residing in the nursing care institution.
43 The administration or the department of economic security shall conduct a
44 subsequent level II screening review of the member within the time frame

1 required by the administration after the notification by the nursing care
2 institution.

3 Sec. 2. AHCCCS; preadmission screening instrument; staff
4 training manuals

5 Subject to available appropriations, the Arizona health care cost
6 containment system administration shall update the elderly and adults with
7 physical disabilities preadmission screening instrument and staff training
8 manuals for the purposes of section 36-2936, Arizona Revised Statutes, as
9 amended by this act.

10 Sec. 3. Effective date

11 This act is effective from and after June 30, 2027.