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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE -- LONG-TERM CARE
SERVICE AND FINANCE REFORM -- ASSISTED LIVING SERVICES

Introduced By: Senators Dimitri, Thompson, and Famiglietti

Date Introduced: March 05, 2026

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40-8.9 of the General Laws entitled "Medical Assistance — Long-
2 Term Care Service and Finance Reform" is hereby amended by adding thereto the following
3 section:

4 **40-8.9-10. Assisted living services -- Medicaid bed hold requirements.**

5 (a) Notwithstanding any provision of law or regulation to the contrary, a licensed assisted
6 living community shall not be required to hold a residential unit for a Medicaid-eligible resident
7 who is temporarily absent due to hospitalization or admission to a skilled nursing facility for a
8 period exceeding ten (10) days, unless a Medicaid bed hold payment is provided pursuant to
9 subsection (b) of this section.

10 (b) For any required bed hold period beyond ten (10) days, the executive office of health
11 and human services shall provide a Medicaid bed hold payment to the assisted living community
12 at a rate not less than fifty percent (50%) of the resident's assessed Medicaid assisted living
13 reimbursement rate.

14 (c) No assisted living community shall be required to maintain an unpaid bed hold for a
15 Medicaid resident for a period exceeding forty-five (45) days in total, regardless of anticipated
16 return status.

17 (d) Nothing in this section shall be construed to prohibit an assisted living community, at
18 its discretion, from voluntarily holding a unit for a longer period or from entering into a private

1 payment arrangement with the resident or the resident's representative.

2 (e) The provisions of this section shall apply only where the assisted living community has
3 received written notice that the resident is reasonably expected to return to the assisted living
4 setting.

5 (f) The executive office of health and human services shall amend its regulations governing
6 assisted living services to conform with this section and shall submit any necessary Medicaid state
7 plan amendments or waivers required for implementation.

8 SECTION 2. This act shall take effect upon passage and shall apply to Medicaid-assisted
9 living residents absent on or after July 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE -- LONG-TERM CARE
SERVICE AND FINANCE REFORM -- ASSISTED LIVING SERVICES

1 This act would provide that a licensed assisted living community is not required to hold a
2 residential unit for a Medicare-eligible resident absent from the facility for a period exceeding ten
3 (10) days and if required to hold the bed, then the executive office of health and human services
4 would provide a Medicaid bed hold payment to the assisted living community.

5 This act would take effect upon passage and would apply to Medicaid-assisted living
6 residents absent on or after July 1, 2026.

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