

Liability Coverage for Nursing Homes Survey Results  
December 2005

State	1. Does your state require liability coverage for nursing homes? Yes or No? a) If yes, is there a minimum requirement? b) What is the minimum requirement?	2. Does Medicaid reimburse for the mandatory liability? Yes or No?	3. To what extent does Medicaid reimburse?
Arizona	No. The state requires Medicaid Program Contractors to have it with no specified amount. Since many of the Program Contractors are counties, they abide by county policy for contract which in most cases is a \$1million lower limit.	No	No
Arkansas	No	Yes	Liability insurance makes up a portion of cost of ownership which is included in the property portion of our cost-based Medicaid rates.
California	No. Facilities with HMO contracts or facilities in County Organized Health Systems may be required to maintain such coverage.	Yes	Medicaid would pick up 100% of their proportional cost subject to Medicare reimbursement requirements.
Colorado	Yes. a) Yes b) \$3 million aggregate - \$1 million specific.	Yes	Colorado has a cost-based system subject to ceilings. Therefore, if you are below the ceilings and caps you would theoretically receive the full cost.
Connecticut	Yes. a) Yes b) No	Yes	It is a component of A&G not a specific reimbursement for liability insurance.
Florida	Yes. a) Yes	Yes	To plan limitations and targets and everyone is targeted out.
Idaho	No		All costs as long as you are under the indirect cap.
Illinois	No		Illinois reimburses at the average 84% of the cost of care.
Iowa	Yes. a) No	Yes	Reimbursement is limited to overall cost-based calculations in the bi-annual rebasing. Costs included in non-direct care component limited to 110% of median and 85% occupancy limitation.
Kansas	No		
Minnesota	No		

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Nebraska	No		Cost included in cost report then capped by a mean plus 15% of allowable cost of the cost component.
New York	No		
Ohio	No		
Oklahoma	No. a) No	Not mandatory, it is accepted as a cost reporting center. We are not totally reimbursed for the cost.	.79 per day per Medicaid resident. We are a per diem state.
Oregon	Yes. a) Yes b) \$500,00-general liability, \$300,000-auto liability & \$500,000-professional liability.	Yes	Up to the 70th percentile ceiling on average allowable costs.
Tennessee	No, but it is an allowable Medicaid cost. Legislation was introduced last legislative session and the year before to mandate coverage, but we convinced the legislature the instability of the insurance market for nursing homes made it impractical to mandate coverage. Instead we agreed to a requirement of notifying patients/families upon admission of whether a facility had insurance coverage and posting that information in a visible location.		
Texas	No		\$1.68 ppd for those who have proof. Liability insurance is probably one-third of the cost.
Utah	No		Medicaid has a pass through on the reimbursement for liability insurance.
Vermont	No		
Virginia	No. Facilities are almost always required by lending institutions to secure coverage.	No.	Cost subject to cost ceiling.
Washington	No		
West Virginia	No. Only mandate is the \$300k of coverage required to be a DME provider with Medicare.		