

1.1 moves to amend H.F. No. 828 as follows:

1.2 Page 1, after line 4, insert:

1.3 "Section 1. Minnesota Statutes 2010, section 144A.04, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 13. Exemptions. (a) Boarding care homes certified to participate in the
1.6 Medicaid program under title XIX of the Social Security Act are exempt from state
1.7 licensure requirements promulgated by the commissioner under Minnesota Rules, chapters
1.8 4667, 4668, and 4669.

1.9 (b) Nursing homes certified to participate in the Medicare program under title
1.10 XVII of the Social Security Act or the Medicaid program under title XIX of the Social
1.11 Security Act are exempt from licensure rules promulgated by the commissioner under
1.12 Minnesota Rules, chapter 4658.

1.13 Sec. 2. Minnesota Statutes 2010, section 144A.05, is amended to read:

1.14 **144A.05 LICENSE RENEWAL.**

1.15 Unless the license expires in accordance with section 144A.06 or is suspended
1.16 or revoked in accordance with section 144A.11, a nursing home license shall remain
1.17 effective for a period of one year from the date of its issuance. The commissioner of
1.18 health by rule shall establish forms and procedures for the processing of license renewals.
1.19 The commissioner of health shall approve a license renewal application if the facility
1.20 continues to satisfy the requirements, standards and conditions prescribed by sections
1.21 144A.01 to 144A.155 and the rules promulgated thereunder. The commissioner shall not
1.22 approve the renewal of a license for a nursing home bed in a resident room with more
1.23 than four beds. Except as provided in section 144A.08, a facility shall not be required to
1.24 submit with each application for a license renewal additional copies of the architectural
1.25 and engineering plans and specifications of the facility. Before approving a license

2.1 renewal, the commissioner of health shall determine that the facility's most recent balance
2.2 sheet and its most recent statement of revenues and expenses, as audited by the state
2.3 auditor, by a certified public accountant licensed in accordance with chapter 326A or by a
2.4 public accountant as defined in section 412.222, have been received by the Department
2.5 of Human Services. The commissioner of health shall renew the license of a boarding
2.6 care home, licensed under sections 144.50 to 144.58, or a nursing home, licensed under
2.7 1144A.01 to 144A.10, provided that it maintains certification by the Centers for Medicare
2.8 and Medicaid Services for participation in at least one of the federal programs.

2.9 Sec. 3. Minnesota Statutes 2010, section 144A.61, is amended by adding a subdivision
2.10 to read:

2.11 Subd. 9. **Electronic transmission.** The commissioner of health must accept
2.12 electronic transmission of applications and supporting documentation for interstate
2.13 endorsement for the nursing assistant registry."

2.14 Page 4, after line 35, insert:

2.15 "Sec. 5. Minnesota Statutes 2010, section 626.5572, subdivision 6, is amended to read:

2.16 Subd. 6. **Facility.** (a) "Facility" means a hospital or other entity required to be
2.17 licensed under sections 144.50 to 144.58; a nursing home required to be licensed to
2.18 serve adults under section 144A.02; a residential or nonresidential facility required to
2.19 be licensed to serve adults under sections 245A.01 to 245A.16; a home care provider
2.20 licensed or required to be licensed under section 144A.46; a hospice provider licensed
2.21 under sections 144A.75 to 144A.755; or a person or organization that exclusively offers,
2.22 provides, or arranges for personal care assistance services under the medical assistance
2.23 program as authorized under sections 256B.04, subdivision 16, 256B.0625, subdivision
2.24 19a, 256B.0651 to 256B.0656, and 256B.0659.

2.25 (b) For home care providers and personal care attendants, the term "facility" refers
2.26 to the provider or person or organization that exclusively offers, provides, or arranges for
2.27 personal care services, and does not refer to the client's home or other location at which
2.28 services are rendered.

2.29 (c) A boarding care home required to be licensed under sections 144.50 to 144.58
2.30 is excluded from the definition in paragraph (a) provided it is certified to participate in
2.31 Medicaid under title XIX of the Social Security Act. A nursing home required to be
2.32 licensed under section 144A.02 is excluded from the definition in paragraph (a) provided
2.33 it is certified to participate in Medicare under title XVIII or Medicaid under title XIX of
2.34 the Social Security Act.

3.1 Sec. 6. Minnesota Statutes 2010, section 626.5572, subdivision 16, is amended to read:

3.2 Subd. 16. **Mandated reporter.** "Mandated reporter" means a professional or
3.3 professional's delegate while engaged in: (1) social services; (2) law enforcement; (3)
3.4 education; (4) the care of vulnerable adults; (5) any of the occupations referred to in
3.5 section 214.01, subdivision 2; (6) an employee of a rehabilitation facility certified by the
3.6 commissioner of jobs and training for vocational rehabilitation; (7) an employee or person
3.7 providing services in a facility as defined in subdivision 6; or (8) a person that performs
3.8 the duties of the medical examiner or coroner. Employees of boarding care homes or
3.9 nursing homes referenced in subdivision 6, paragraph (c), are not mandated reporters."

3.10 Renumber the sections in sequence and correct the internal references

3.11 Amend the title accordingly