

1.1 moves to amend H.F. No. 2294, the third engrossment, in conference
1.2 committee, as follows:

1.3 On R8, House language, (H2294-3)

1.4 Page 76, delete section 6, and insert:

1.5 "Sec. **[245A.042] HOME AND COMMUNITY-BASED SERVICES;**
1.6 **PROCEDURES.**

1.7 Subdivision 1. **Implementation.** (a) The commissioner shall implement the
1.8 responsibilities of this chapter according to the timelines in paragraphs (b) and (c)
1.9 only within the limits of available appropriations or other administrative cost recovery
1.10 methodology.

1.11 (b) The licensure of home and community-based services according to this section
1.12 shall be implemented January 1, 2014. License applications shall be received and
1.13 processed on a phased-in schedule as determined by the commissioner beginning July
1.14 1, 2013. Licenses will be issued thereafter upon the commissioner's determination that
1.15 the application is complete according to section 245A.04.

1.16 (c) Within the limits of available appropriations or other administrative cost recovery
1.17 methodology, implementation of compliance monitoring must be phased in after January
1.18 1, 2014.

1.19 (1) Applicants who do not currently hold a license issued under this chapter must
1.20 receive an initial compliance monitoring visit after 12 months of the effective date of the
1.21 initial license for the purpose of providing technical assistance on how to achieve and
1.22 maintain compliance with the applicable law or rules governing the provision of home and
1.23 community-based services under chapter 245D. If during the review the commissioner
1.24 finds that the license holder has failed to achieve compliance with an applicable law or
1.25 rule and this failure does not imminently endanger the health, safety, or rights of the
1.26 persons served by the program, the commissioner may issue a licensing review report with
1.27 recommendations for achieving and maintaining compliance.

2.1 (2) Applicants who do currently hold a license issued under this chapter must receive
2.2 a compliance monitoring visit after 24 months of the effective date of the initial license.

2.3 (d) Nothing in this subdivision shall be construed to limit the commissioner's
2.4 authority to suspend or revoke a license or issue a fine at any time under section 245A.07,
2.5 or make correction orders and make a license conditional for failure to comply with
2.6 applicable laws or rules under section 245A.06, based on the nature, chronicity, or severity
2.7 of the violation of law or rule and the effect of the violation on the health, safety, or
2.8 rights of persons served by the program.

2.9 Subd. 2. **Stakeholder consultation.** The commissioner shall consult with the
2.10 existing stakeholder group established as part of the provider standards process to gather
2.11 input related to the development of an administrative cost recovery methodology to
2.12 implement the provisions in chapter 245D."