1.1   .... moves to amend H.F. No. 111 as follows:

1.2   Page 1, before line 5, insert:

1.3   "Section 1. Minnesota Statutes 2020, section 256B.0641, subdivision 1, is amended to

1.4   read:

1.5   Subdivision 1. **Recovery procedures; sources.** (a) Notwithstanding section 256B.72

1.6   or any law or rule to the contrary, except as provided in paragraph (b), when the

1.7   commissioner or the federal government determines that an overpayment has been made

1.8   by the state to any medical assistance vendor, the commissioner shall recover the

1.9   overpayment as follows:

1.10   (1) if the federal share of the overpayment amount is due and owing to the federal

1.11   government under federal law and regulations, the commissioner shall recover from the

1.12   medical assistance vendor the federal share of the determined overpayment amount paid to

1.13   that provider using the schedule of payments required by the federal government;

1.14   (2) if the overpayment to a medical assistance vendor is due to a retroactive adjustment

1.15   made because the medical assistance vendor's temporary payment rate was higher than the

1.16   established desk audit payment rate or because of a department error in calculating a payment

1.17   rate, the commissioner shall recover from the medical assistance vendor the total amount

1.18   of the overpayment within 120 days after the date on which written notice of the adjustment

1.19   is sent to the medical assistance vendor or according to a schedule of payments approved

1.20   by the commissioner;

1.21   (3) a medical assistance vendor is liable for the overpayment amount owed by a long-term

1.22   care provider if the vendors or their owners are under common control or ownership; and

2.1   (4) in order to collect past due obligations to the department, the commissioner shall

2.2   make any necessary adjustments to payments to a provider or vendor that has the same tax

2.3   identification number as is assigned to a provider or vendor with past due obligations.

2.4   (b) The commissioner shall not recover any overpayment that is caused by, affected by,

2.5   or otherwise the result of an error by the department.

2.6   **EFFECTIVE DATE.** This section is effective retroactively from June 30, 2019, and

2.7   applies to overpayments determined on or after that date."

2.8   Page 1, line 7, delete "$8,812,000" and insert "$8,328,010"

2.9   Page 1, line 17, delete "$28,908,000" and insert "$28,873,337"

2.10   Page 1, line 21, delete "$14,666,000" and insert "$14,666,122" and delete "$14,242,000"

2.11   and insert "$14,207,215"

2.12   Renumber the sections in sequence and correct the internal references

2.13   Amend the title accordingly

Section 1.   2