

1.1 moves to amend H.F. No. 4338, the delete everything amendment
1.2 (H4338DE1), as follows:

1.3 Page 214, after line 31, insert:

1.4 "Sec. Minnesota Statutes 2024, section 256S.20, is amended by adding a subdivision
1.5 to read:

1.6 Subd. 6. Customized living and 24-hour customized living moratorium. (a) Except
1.7 as permitted in this subdivision, the commissioner must not authorize:

1.8 (1) a new customized living setting or 24-hour customized living setting; or

1.9 (2) a new provider enrollment to deliver customized living services or 24-hour customized
1.10 living services.

1.11 (b) The commissioner may approve an exception to the moratorium only when the
1.12 commissioner determines the exception is necessary for:

1.13 (1) a change of ownership at the same address;

1.14 (2) continuity of care due to a provider closure, decertification, licensing action, or other
1.15 service disruption; or

1.16 (3) compliance with federal law.

1.17 (c) In determining whether to approve an exception to the moratorium, the commissioner
1.18 must consider the availability of services in the geographic area, a person's assessed needs
1.19 and informed choice, whether a less restrictive alternative is available, and the
1.20 recommendation of the lead agency.

1.21 (d) A determination under this paragraph is final and not subject to appeal.

1.22 **EFFECTIVE DATE.** This section is effective January 1, 2027."

- 2.1 Renumber the sections in sequence and correct the internal references
- 2.2 Amend the title accordingly