

Subject DHS Continuing Care Policy Bill

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Date March 1, 2021

Overview

This bill makes assisted living licensure conforming changes, makes nursing facility rates policy technical changes, and repeals an obsolete rule related to adult foster care resident rights.

Summary

Section	Description
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| 1 | Family adult foster care home.
Amends § 245A.02, subd. 6d. Defines “family adult foster care home” in the chapter of statutes governing DHS licensing. |
| 2 | Licensing moratorium.
Amends § 245A.03, subd. 7. Modifies the corporate foster care licensing moratorium by making conforming changes to the statutes governing assisted living licensure that go into effect on August 1, 2021. |
| 3 | Study subject affiliated with multiple facilities.
Amends § 245C.07. Makes technical changes to conform to the statutes governing assisted living licensure that go into effect on August 1, 2021. |
| 4 | Consumer information and assistance and long-term care options counseling; Senior LinkAge Line.
Amends § 256.975, subd. 7. Makes technical changes to conform to the statutes governing assisted living licensure that go into effect on August 1, 2021. Provides an August 1, 2021, effective date. |
| 5 | Consultation for housing with services.
Amends § 256B.0911, subd. 3c. Allows a spouse or legal partner to receive long-term care consultation services. Provides an August 1, 2021, effective date. |

Section	Description
6	<p>Contact information for consumer surveys for nursing facilities and home and community-based services.</p> <p>Amends § 256B.439, by adding subd. 3c. Allows the commissioner to request contact information of clients and associated key representatives for purposes of conducting consumer surveys for nursing facilities and home and community-based services. Requires providers to furnish contact information available to the provider.</p>
7	<p>Administrative costs.</p> <p>Amends § 256R.02, subd. 4. Modifies the definition of “administrative costs” under the chapter of statutes governing nursing facility rates.</p>
8	<p>Direct care costs.</p> <p>Amends § 256R.02, subd. 17. Modifies the definition of “direct care costs” under the chapter of statutes governing nursing facility rates.</p>
9	<p>Employer health insurance costs.</p> <p>Amends § 256R.02, subd. 18. Modifies the definition of “employer health insurance costs” under the chapter of statutes governing nursing facility rates.</p>
10	<p>External fixed costs.</p> <p>Amends § 256R.02, subd. 19. Modifies the definition of “external fixed costs” under the chapter of statutes governing nursing facility rates to remove a cross-reference that is repealed in this bill.</p>
11	<p>Maintenance and plant operations costs.</p> <p>Amends § 256R.02, subd. 29. Modifies the definition of “maintenance and plant operations costs” under the chapter of statutes governing nursing facility rates.</p>
12	<p>Minor equipment.</p> <p>Amends § 256R.02, by adding subd. 32a. Defines “minor equipment” under the chapter of statutes governing nursing facility rates.</p>
13	<p>Real estate taxes.</p> <p>Amends § 256R.02, subd. 42a. Makes a technical change to the definition of “real estate taxes” under the chapter of statutes governing nursing facility rates.</p>
14	<p>Special assessments.</p> <p>Amends § 256R.02, subd. 48a. Modifies the definition of “special assessments” under the chapter of statutes governing nursing facility rates.</p>

Section	Description
15	Criteria. Amends § 256R.07, subd. 1. Modifies the list of criteria nursing facility documentation must meet in order to be adequate by adding signed and dated position descriptions and making a conforming cross-reference change.
16	Documentation of compensation. Amends § 256R.07, subd. 2. Modifies documentation requirements related to salary allocations.
17	Adequate documentation supporting nursing facility payrolls. Amends § 256R.07, subd. 3. Removes obsolete language and allows records to be stored electronically.
18	Reporting of financial statements. Amends § 256R.08, subd. 1. Clarifies that documents or information provided by a nursing facility to the state agency is public unless prohibited by HIPAA or any other federal or state regulation. Specifies data that is confidential data on individuals or protected nonpublic data.
19	Reporting of statistical and cost information. Amends § 256R.09, subd. 2. Makes technical changes.
20	Method of accounting. Amends § 256R.09, subd. 5. For reimbursement purposes, requires an accrued expense to be paid by the provider within 90 days following the end of the reporting period. Prohibits an expense disallowed by the commissioner from being claimed on a subsequent cost report. Allows for specific exemptions to the 90-day rule to be granted by the commissioner.
21	Extended record retention requirements. Amends § 256R.13, subd. 4. Makes a conforming cross-reference change.
22	Calculation of a quality score. Amends § 256R.16, subd. 1. Modifies the timing for adjusting the quality score calculation by removing language requiring the adjustment to be effective on July 1 of any year.
23	Resident assessment schedule. Amends § 256R.17, subd. 3. Clarifies that significant corrections case mix assessments must be effective the first day of the month following the assessment reference date.

Section	Description
24	Determination of limited undepreciated replacement cost. Amends § 256R.26, subd. 1. Makes a technical change.
25	Scholarships. Amends § 256R.37. Removes obsolete language, specifies how scholarship per diem rates must be calculated, lists allowable scholarship costs, requires the commissioner to provide a scholarship per diem rate equal to the allowable scholarship costs divided by resident days and to compute the scholarship per diem rate annually and to include the per diem rate in the external fixed costs payment rate, and requires facilities to request this rate adjustment annually.
26	Quality improvement incentive program. Amends § 256R.39. Removes obsolete language and makes technical changes.
27	Repealer. Repeals Minnesota Statutes, sections 245A.03, subd. 5 (excluded housing with services programs; right to seek licensure); 256R.08, subd. 2 (extensions); 256R.49 (rate adjustments for compensation-related costs for minimum wage changes); and 256S.20, subd. 2 (customized living services requirements). Repeals Minnesota Rules, part 9555.6255 (adult foster care resident’s rights).



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