

House Research Act Summary

CHAPTER: 449

SESSION: 2000 Regular Session

TOPIC: Long-Term Care

Date: May 2, 2000

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Overview

This act contains provisions related to DHS long-term care services. Most of the sections in the act strike or repeal obsolete language related to nursing facility reimbursement, or make technical changes.

Section

- 1 **Services covered under alternative care.** Amends § 256B.0913, subd. 5. States that individuals receiving residential care services cannot receive homemaking services (current law prohibits receipt of personal care services). Clarifies that direct cash payments under the alternative care program are governed by the procedures and liability protection of the consumer support grant program, and corrects the citation to this program.
- 2 **Requirements.** Amends § 256B.411, subd. 2. Specifies that payments can be made to nursing facilities that have withdrawn or are withdrawing from MA, as provided in federal law.
- 3 **In general.** Amends § 256B.431, subd. 1. Allows the commissioner to set nursing facility rates after legislation is enacted, and to provide notice to each facility as soon as possible, if legislation is pending on May 1. (Under current law, rates must be provided on or before May 1, and a revised notice is provided if a statute enacted after May 1 affects the rates.) Strikes obsolete nursing facility rate-setting language.
- 4 **Property-related costs after July 1, 1985.** Amends § 256B.431, subd. 3a. Strikes obsolete language related to a report to the legislature and the phase-in of the rental system.
- 5 **Property rate adjustments and construction projects.** Amends § 256B.431, subd. 10. Replaces a reference to an emergency rule with the statutory reference, and eliminates a reference to a definition that is not in statute.
- 6 **Major additions and replacements; equity incentive.** Amends § 256B.431, subd. 16. Corrects a cross-reference.
- 7 **Special provisions for moratorium exceptions.** Amends § 256B.431, subd. 17. Strikes an

obsolete provision related to a specific moratorium exception project, makes conforming changes, and correct a cross-reference to take into account language eliminated elsewhere in the act.

8 **Updating appraisals, additions, and replacements.** Amends § 256B.431, subd. 18. Strikes obsolete language related to nursing facility appraisals.

9 **Indexing thresholds.** Amends § 256B.431, subd. 21. Corrects a cross-reference.

10 **Changes to nursing facility reimbursement.** Amends § 256B.431, subd. 22. Strikes obsolete language providing an eight cent adjustment to the care-related operating rate.

11 **Changes to nursing facility reimbursement beginning July 1, 1995.** Amends

§ 256B.431, subd. 25. Strikes language establishing spend-up and high-cost limits and modifying the efficiency incentive calculation (this language is superseded by language in subdivision 26). Strikes language providing a specific rate exception (updated language for this facility is in subdivision 26).

12 **Changes to nursing facility reimbursement beginning July 1, 1997.** Amends

§ 256B.431, subd. 26. Strikes rate-setting language that is superseded by subd. 27, paragraph (i).

13 **Duration and termination of contracts.** Amends § 256B.434, subd. 3. Strikes an unnecessary cross-reference.

14 **Alternate rates for nursing facilities.** Amends § 256B.434, subd. 4. Strikes unnecessary cross-references.

15 **Repealer.** Strikes statutes related to nursing facility rate-setting that are either obsolete or superseded by other statutes.

16 **Revisor instructions.** Directs the revisor to make any necessary changes in cross-references that are required as a result of this act.

17 **Effective date.** Provides that the amendment in section 1 related to persons receiving residential care services is effective July 1, 2000, or upon federal approval, whichever is later. States that the remainder of section 1, and sections 2 to 15, are effective July 1, 2000.