

House Research Act Summary

CHAPTER: 285

SESSION: 2008 Regular Session

TOPIC: Nursing Facility Moratorium Exception and Transfer – Steele County

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Overview

This act allows Steele County to transfer assets used by the county for nursing home and related purposes to a nonprofit corporation, and provides a related exception to the nursing home moratorium.

- 1 **Exceptions for replacement beds after June 30, 2003.** Amends § 144A.071, subd. 4c. Allows the licensure and certification, as part of a pilot program, of up to 80 beds transferred from an existing county-owned facility in Steele County to the site of a new acute care facility. Requires delicensure of 28 beds. Specifies the methodology for calculating the increase in the property payment rate for the first three years of operation.
- 2 **Steele county asset transfer; status of transferee.**

Subd. 1. Asset transfer authorized. Allows Steele County to lease, sell, or otherwise transfer to a nonprofit corporation all real and person property used by the county for nursing home, assisted living, and related purposes, and allows the county to acquire a membership interest in the nonprofit corporation. Specifies criteria for leases, sales, and other transfers.

Subd. 2. Status of transferee. Allows the articles of incorporation or bylaws of the transferee corporation to give the county board the right to appoint and remove one or more members of the governing board. Requires the corporation to be a nonprofit corporation organized under chapter 317A and specifies other requirements for governance.

Subd. 3. Open meeting law; data practices. Provides that the nonprofit

corporation is subject to the open meeting law and the Data Practices Act.

Effective date; local approval. States that this section is effective the day after the governing body of Steele County and its chief clerical officer timely complete compliance with local approval and filing requirements under § 645.021, subs. 2 and 3.