

House Research Act Summary

CHAPTER: 22

SESSION: 2011 Regular Session

TOPIC: Nursing Facilities

Date: May 13, 2011

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Section

Article 1: Nursing Facilities

Overview

This bill makes changes to nursing facility bed layaway status during natural disasters, exceptions authorizing increases in beds, and the nursing facility moratorium exception process for relocated beds.

- 1 Nursing home bed layaway.** Amends § 12A.10, by adding subd. 4. Allows the commissioner of health to waive timelines specified under the bed layaway statute when a partial or complete evacuation of a nursing home occurs in response to a natural disaster or another event that threatens the health and safety of residents of a nursing home. Prohibits property payment rates from being adjusted for a nursing home placing beds in or taking them out of layaway under this section.
- 2 Exceptions authorizing increase in beds; hardship areas.** Amends § 144A.071, subd. 3. Modifies the criteria and process under which the commissioner of health, in coordination with the commissioner of human services, may approve the addition of new licensed and certified nursing home beds. Specifies the criteria to be used to determine that an area of the state is a hardship area with regard to access to nursing facility services. Specifies the process to be used in designated hardship areas to add beds.

- 3 **Consolidation of nursing facilities.** Amends § 144A.071, by adding subd. 4d. Allows the commissioner of health to approve a request for consolidation of nursing facilities. Requires the commissioner of human services to calculate a property payment rate adjustment. Specifies requirements nursing facilities must meet to receive the property payment rate adjustment.

- 4 **Cost neutral relocation projects.** Amends § 144A.073, subd. 3c. Requires the commissioner of human services to determine the allowable payment rates of the facility receiving beds in relocation projects.

- 5 **Criteria for review.** Amends § 144A.073, by adding subd. 4a. Sets the criteria for review under the nursing facility moratorium process.

- 6 **Property rate increase for a facility in Bloomington effective November 1, 2010.** Amends § 256B.431, by adding subd. 44. Allows money available for nursing home moratorium projects to be used, effective November 1, 2010, to fund an approved moratorium exception project for a specified nursing facility in Bloomington, up to a total property rate adjustment of \$19.33.

- 7 **Method for determining budget-neutral nursing facility rates for relocated beds.** Amends § 256B.441, by adding subd. 60. Paragraph (a) specifies how nursing facility rates for bed relocations must be calculated. Specifies that nursing facility beds on layaway status that are being moved must be included in the calculation for both the originating and receiving facility and treated as though they were in active status with the occupancy characteristics of the active beds of the originating facility.

Paragraph (b) specifies how MA costs of the beds in the originating nursing facilities must be calculated.

Paragraph (c) specifies how MA costs in the receiving facility, prior to the bed relocation, must be calculated.

Paragraph (d) requires the commissioner to determine the MA costs prior to the bed relocation.

Paragraph (e) specifies how the commissioner must estimate the MA costs after the bed relocation.

Paragraphs (f) and (g) specify how the commissioner shall determine total payment rates.

Paragraph (h) specifies the process the commissioner must use to determine total payment rates if the commissioner relies on certain provider estimates.

Paragraph (i) specifies how rates determined under this subdivision must be adjusted by any amounts implemented after the date of the letter of approval.

- 8 **Repealer.** Repeals nursing facility moratorium exceptions criteria for review and replacement restrictions (Minn. Stat. § 144A.073, subd. 4 and 5).

- 9 **Effective date.** Makes this article effective immediately.

Article 2: Conforming Changes

Overview

This article makes conforming changes to the changes made in Article 1.

- 1 **Exceptions for replacement beds. Amends § 144A.071, subd. 4a. Removes a cross-reference that is repealed.**
- 2 **Changes to nursing facility reimbursement beginning July 1, 1997. Amends § 256B.431, subd. 26. Removes language related to cross-references that are repealed.**
- 3 **Criteria for review of application. Amends § 256B.437, subd. 4. Removes a cross-reference that is repealed.**
- 4 **Effective date. Makes this article effective immediately.**