

Subject DHS Continuing Care Policy Bill

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## Overview

This bill includes policy provisions related to the adult foster care moratorium, dialectical behavioral therapy, nursing facilities, and correcting terminology related to the Disability Hub.

## Summary

Section	Description
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| 1 | <p><b>Licensing moratorium.</b></p> <p>Amends § 245A.03, subd. 7. Removes an exception to the adult foster care moratorium for new foster care licenses or community residential setting licenses determined to be needed for the transition of people from PCA services to HCBS. Provides an immediate effective date.</p> |
| 2 | <p><b>Intensive mental health outpatient treatment.</b></p> <p>Amends § 256B.0625, subd. 51. Modifies the age limit on MA coverage of dialectical behavior therapy by allowing coverage for children.</p>                                                                                                                   |
| 3 | <p><b>Administrative costs.</b></p> <p>Amends § 256R.02, subd. 4. Modifies the definition of “administrative costs” under the chapter of statutes governing nursing facility rates.</p>                                                                                                                                     |
| 4 | <p><b>Direct care costs.</b></p> <p>Amends § 256R.02, subd. 17. Modifies the definition of “direct care costs” under the chapter of statutes governing nursing facility rates.</p>                                                                                                                                          |
| 5 | <p><b>Employer health insurance costs.</b></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>                                                                                                              |

<b>Section</b>	<b>Description</b>
6	<b>External fixed costs.</b> Amends § 256R.02, subd. 19. Modifies the definition of “external fixed costs” under the chapter of statutes governing nursing facility rates (removes reference to a section that is included in the repealer).
7	<b>Maintenance and plant operations costs.</b> Amends § 256R.02, subd. 29. Modifies the definition of “maintenance and plant operations costs” under the chapter of statutes governing nursing facility rates.
8	<b>Minor equipment.</b> Amends § 256R.02, by adding subd. 32a. Defines “minor equipment” as equipment that does not qualify as either fixed equipment or depreciable moveable equipment under the chapter of statutes governing nursing facility rates.
9	<b>Real estate taxes.</b> Amends § 256R.02, subd. 42a. Modifies the definition of “real estate taxes” under the chapter of statutes governing nursing facility rates.
10	<b>Special assessments.</b> Amends § 256R.02, subd. 48a. Modifies the definition of “special assessments” under the chapter of statutes governing nursing facility rates.
11	<b>Criteria.</b> Amends § 256R.07, subd. 1. Modifies the criteria a nursing facility must meet in order to comply with adequate documentation requirements by requiring documentation to include signed and dated position descriptions. Makes a conforming cross-reference change.
12	<b>Documentation of compensation.</b> Amends § 256R.07, subd. 2. Modifies the method used for estimating time spent performing assigned duties. Allows salary allocations using the Medicare-approved allocation basis and methodology only if the salary costs cannot be directly determined, including when employees provide shared services to noncovered operations.
13	<b>Adequate documentation supporting nursing facility payrolls.</b> Amends § 256R.07, subd. 3. Modifies nursing facility payroll documentation requirements by removing references to microfilm and automated data and allowing for records to be stored electronically.

<b>Section</b>	<b>Description</b>
14	<b>Reporting of financial statements.</b> Amends § 256R.08, subd. 1. Adds language specifying when certain auditing data is confidential data on individuals or protected nonpublic data.
15	<b>Reporting of statistical and cost information.</b> Amends § 256R.09, subd. 2. Makes technical changes.
16	<b>Method of accounting.</b> Amends § 256R.09, subd. 5. Adds language requiring accrued expenses to be paid within 90 days following the end of the reporting period. Prohibits disallowed expenses from being claimed on a subsequent cost report. Allows exemptions to the 90-day rule to be granted by the commissioner for documented contractual arrangements such as receivership, property tax installment payments, and pension contributions.
17	<b>Extended record retention requirements.</b> Amends § 256R.13, subd. 4. Makes technical and conforming changes.
18	<b>Calculation of a quality score.</b> Amends § 256R.16, subd. 1. Makes technical changes and removes the requirement that adjustments to the quality score calculation be effective July 1 of any year.
19	<b>Resident assessment schedule.</b> Amends § 256R.17, subd. 3. Includes significant correction assessments in the statute governing the effective date of resident assessments.
20	<b>Determination of limited undepreciated replacement cost.</b> Amends § 256R.26, subd. 1. Specifies a facility's undepreciated replacement cost (URC) is the recognized URC from the appraisal.
21	<b>Scholarships.</b> Amends § 256R.37. Reorganizes the nursing facility scholarships statute.
22	<b>Quality improvement incentive program.</b> Amends § 256R.39. Makes technical and grammatical changes and removes obsolete language.
23	<b>Revisor instruction; correcting terminology.</b> Directs the revisor of statutes to: (1) replace the term "Disability Linkage Line" or similar terms with "Disability Hub" or similar terms in Minnesota Statutes; and (2) make grammatical changes related to the changes in terms.

Section	Description
24	<b>Repealer.</b> Repeals Minnesota Statutes, sections 256R.08, subdivision 2 (extensions for reporting of financial statements); and 256R.49 (rate adjustments for compensation-related costs for minimum wage changes).



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