

Subject Department of Human Services Continuing Care Policy Bill

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Overview

This bill makes various changes to the nursing facility value-based reimbursement system and the Maltreatment of Vulnerable Adults Act.

Section	Description
1	License suspension, revocation, or fine. Amends § 245A.07, subd. 3. Makes a technical correction to a child care licensing rule citation. Provides an August 1, 2019 effective date.
2	Background studies conducted by Department of Human Services. Amends § 245C.08, subd. 1. Makes a conforming change related to the reporting of maltreatment of vulnerable adults. Provides an August 1, 2019 effective date.
3	Review procedure. Amends § 256.021, subd. 2. Modifies the timeline for a review by the Vulnerable Adult Maltreatment Review Panel under certain circumstances. Provides an August 1, 2019 effective date.
4	Administrative costs. Amends §256R.02, subd. 4. Modifies the definition of “administrative costs” under the nursing facility value-based reimbursement system to include salaries, wages, and associated fringe benefits of purchasing and inventory employees, and nonpromotional advertising. Provides an August 1, 2019 effective date.
5	Direct care costs. Amends § 256R.02, subd. 17. Modifies the definition of “direct care costs” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.
6	Employer health insurance costs. Amends §256R.02, subd. 18. Modifies the definition of “employer health insurance costs” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.

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7	External fixed costs. Amends § 256R.02, subd. 19. Modifies the definition of “external fixed costs” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.
8	Maintenance and plant operations costs. Amends § 256R.02, subd. 29. Modifies the definition of “maintenance and plant operations costs” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.
9	Real estate taxes. Amends § 256R.02, subd. 42a. Modifies the definition of “real estate taxes” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.
10	Special assessments. Amends § 256R.02, subd. 48a. Modifies the definition of “special assessments” under the nursing facility value-based reimbursement system. Provides an August 1, 2019 effective date.
11	Criteria. Amends § 256R.07, subd. 1. Makes a conforming cross-reference change. Provides an August 1, 2019 effective date.
12	Documentation of compensation. Amends § 256R.07, subd. 2. Removes language specifying the manner in which salaries and wages of employees which are allocated to more than one cost category must be distributed. Allows salary allocations using the Medicare approved allocation basis and methodology only if the salary costs cannot be directly determined. Provides an August 1, 2019 effective date.
13	Reporting of statistical and cost information. Amends § 256R.09, subd. 2. Makes a technical correction. Provides an August 1, 2019 effective date.
14	General cost principles. Amends § 256R.10, subd. 1. Modifies the list of criteria a cost must satisfy in order to be considered an allowable cost for rate setting purposes. Provides an August 1, 2019 effective date.

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15	<p>Extended record retention requirements.</p> <p>Amends § 256R.13, subd. 4. Makes a conforming cross-reference change. Provides an August 1, 2019 effective date.</p>
16	<p>Quality Improvement Incentive Program.</p> <p>Amends § 256R.39. Removes obsolete language. Provides an August 1, 2019 effective date.</p>
17	<p>Timing of report.</p> <p>Amends § 626.557, subd. 3. Makes a conforming cross-reference change. Provides an August 1, 2019 effective date.</p>
18	<p>Report not required.</p> <p>Amends § 626.557, subd. 3a. Makes conforming changes. Provides an August 1, 2019 effective date.</p>
19	<p>Reporting.</p> <p>Amends § 626.557, subd. 4. Removes language: (1) allowing the common entry point to accept electronic reports submitted through a web-based reporting system; and (2) prohibiting the common entry point from requiring written reports. Provides an August 1, 2019 effective date.</p>
20	<p>Common entry point designation.</p> <p>Amends § 626.557, subd. 9. Removes obsolete language. Modifies the information that must be included on the common entry point standard intake form. Removes language requiring the common entry point to immediately identify and locate prior reports of abuse, neglect, or exploitation. Provides an August 1, 2019 effective date.</p>
21	<p>Lead investigative agency; notifications, dispositions, determinations.</p> <p>Amends § 626.557, subd. 9c. Paragraph (b), in making the initial disposition, allows lead investigative agencies to: (1) consider previous reports of suspected maltreatment; and (2) request and consider public information, records maintained by a lead investigative agency or licensed providers, and information from any other person who may have knowledge regarding the alleged maltreatment.</p> <p>Paragraph (c) specifies the information the lead investigative agency must provide to the vulnerable adult and the vulnerable adult’s guardian or health care agent during the investigation period.</p> <p>Paragraph (d) allows the lead investigative agency to coordinate with specified entities to safeguard the welfare and prevent further maltreatment of the vulnerable adult during the investigation and in the provision of adult protective services. Requires the lead</p>

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	<p>investigative agency to request and consider the vulnerable adult’s choice of primary support person.</p> <p>Paragraph (h) clarifies the deadline for final disposition of a maltreatment allegation.</p> <p>Paragraph (j) specifies final disposition timelines and notification requirements when the lead investigative agency is a county agency.</p> <p>Provides an August 1, 2019 effective date.</p>
22	<p>Administrative reconsideration; review panel.</p> <p>Amends § 626.557, subd. 9d. Prohibits the Vulnerable Adult Maltreatment Review Panel from conducting a review if the interested person making the request on behalf of the vulnerable adult is also the alleged perpetrator. Provides an August 1, 2019 effective date.</p>
23	<p>Investigations; guidelines.</p> <p>Amends § 626.557, subd. 10b. Requires lead investigative agencies to publicly post the guidelines for prioritizing maltreatment of vulnerable adult reports for investigation. Modifies the list of activities the lead investigative agency shall conduct when investigating a vulnerable adult maltreatment report. Specifies circumstances in which a lead investigative agency is not required to conduct the listed investigative actions. Provides an August 1, 2019 effective date.</p>
24	<p>Data management.</p> <p>Amends § 626.557, subd. 12b. Specifies the agencies that may exchange not public data in order to prevent further maltreatment, safeguard the affected vulnerable adults, or to initiate, further, or complete a vulnerable adult maltreatment investigation. Provides an August 1, 2019 effective date.</p>
25	<p>Abuse.</p> <p>Amends § 626.5572, subd. 2. Modifies the definition of “abuse” under the Maltreatment of Vulnerable Adults Act. Provides an August 1, 2019 effective date.</p>
26	<p>Caregiver.</p> <p>Amends § 626.5572, subd. 4. Modifies the definition of “caregiver” under the Maltreatment of Vulnerable Adults Act. Provides an August 1, 2019 effective date.</p>
27	<p>Financial exploitation.</p> <p>Amends § 626.5572, subd. 9. Modifies the definition of “financial exploitation” under the Maltreatment of Vulnerable Adults Act. Provides an August 1, 2019 effective date.</p>

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28	Neglect. Amends § 626.5572, subd. 17. Modifies the definition of “neglect” under the Maltreatment of Vulnerable Adults Act to include both “caregiver neglect” and “self-neglect.” Provides an August 1, 2019 effective date.
29	Primary support person. Amends § 626.5572, by adding subd. 17a. Defines “primary support person” under the Maltreatment of Vulnerable Adults Act. Provides an August 1, 2019 effective date.
30	Direction to commissioner; provider standard evaluation. Requires the commissioner of human services to evaluate provider standards for companion, homemaker, and respite services covered by the MA home and community-based waivers and make recommendations to the legislative committees with jurisdiction over human services for adjustments to these provider standards by January 1, 2020. Specifies the goal of the evaluation is to promote access to services while being minimally burdensome to providers. Provides an August 1, 2019 effective date.
31	Repealer. Repeals Minn. Stat. § 256R.08, subd. 2 (extensions); and 256R.49 (rate adjustments for compensation-related cost for minimum wage changes). Provides an August 1, 2019 effective date.



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