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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3613**

February 28, 2008

Authored by Solberg and Anzelc

The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to human services; qualifying residential hospice facilities for group
1.3 residential housing payments; amending Minnesota Statutes 2006, section
1.4 256I.04, subdivision 2a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 256I.04, subdivision 2a, is amended to
1.7 read:

1.8 Subd. 2a. **License required.** A county agency may not enter into an agreement with
1.9 an establishment to provide group residential housing unless:

1.10 (1) the establishment is licensed by the Department of Health as a hotel and
1.11 restaurant; a board and lodging establishment; a residential care home; a boarding care
1.12 home before March 1, 1985; or a supervised living facility, and the service provider
1.13 for residents of the facility is licensed under chapter 245A. However, an establishment
1.14 licensed by the Department of Health to provide lodging need not also be licensed to
1.15 provide board if meals are being supplied to residents under a contract with a food vendor
1.16 who is licensed by the Department of Health;

1.17 (2) the residence is licensed by the commissioner of human services under Minnesota
1.18 Rules, parts 9555.5050 to 9555.6265, or certified by a county human services agency prior
1.19 to July 1, 1992, using the standards under Minnesota Rules, parts 9555.5050 to 9555.6265;

1.20 (3) the establishment is registered under chapter 144D and provides three meals a
1.21 day, or is an establishment voluntarily registered under section 144D.025 as a supportive
1.22 housing establishment; ~~or~~

2.1 (4) an establishment voluntarily registered under section 144D.025, other than
2.2 a supportive housing establishment under clause (3), is not eligible to provide group
2.3 residential housing; or

2.4 (5) the establishment is licensed by the Department of Health as a residential hospice
2.5 facility under section 144A.753.

2.6 The requirements under clauses (1), ~~(2), (3), and (4)~~ to (5) do not apply to
2.7 establishments exempt from state licensure because they are located on Indian reservations
2.8 and subject to tribal health and safety requirements.