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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3651

March 3, 2008

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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 health; allowing commissioner discretion in revoking or suspending
1.3 a nursing home license under certain conditions; amending Minnesota Statutes
1.4 2006, section 144A.11, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2006, section 144A.11, subdivision 2, is amended to read:

1.7 Subd. 2. **Mandatory proceedings.** (a) The commissioner of health shall initiate
1.8 proceedings within 60 days of notification to suspend or revoke a nursing home license
1.9 or shall refuse to renew a license if within the preceding two years the nursing home has
1.10 incurred the following number of uncorrected or repeated violations:

1.11 (1) two or more uncorrected violations or one or more repeated violations which
1.12 created an imminent risk to direct resident care or safety; or

1.13 (2) four or more uncorrected violations or two or more repeated violations of any
1.14 nature for which the fines are in the four highest daily fine categories prescribed in rule.

1.15 (b) Notwithstanding paragraph (a), the commissioner is not required to revoke,
1.16 suspend, or refuse to renew a facility's license if the facility corrects the violation.

1.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.