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# HOUSE FILE No. 2859

## *FIRST COMMITTEE ENGROSSMENT*

February 11, 2010

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The bill was read for the first time and referred to the Committee on Finance

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*Referred by Chair to Health Care and Human Services Finance Division.*

February 18, 2010

*Returned to the Committee on Finance as Amended.*

1.1 A bill for an act  
1.2 relating to human services; modifying a nursing facility rate provision; amending  
1.3 Minnesota Statutes 2008, section 256B.431, subdivision 35.

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

1.5 Section 1. Minnesota Statutes 2008, section 256B.431, subdivision 35, is amended to  
1.6 read:

1.7 Subd. 35. **Exclusion of raw food cost adjustment.** For rate years beginning on  
1.8 or after July 1, 2001, in calculating a nursing facility's operating cost per diem for the  
1.9 purposes of ~~constructing~~ comparing to an array, ~~determining~~ a median, or ~~otherwise~~  
1.10 ~~performing a other~~ statistical measure of nursing facility payment rates to be used to  
1.11 determine future rate ~~increases~~ adjustments under this section, section 256B.434, or any  
1.12 other section, the commissioner shall exclude adjustments for raw food costs under  
1.13 subdivision 2b, paragraph (h), that are related to providing special diets based on religious  
1.14 beliefs.