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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1004**

February 19, 2009

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

1.1 A bill for an act
1.2 relating to human services; providing for relocation of an ICF/MR facility in
1.3 Cottonwood County; amending Minnesota Statutes 2008, section 252.291, by
1.4 adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2008, section 252.291, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 2b. Exception for Cottonwood County facility. (a) The commissioner shall
1.9 authorize and grant new licenses under chapter 245A for three new intermediate care
1.10 facilities for persons with developmental disabilities under the following circumstances:

1.11 (1) the new facilities replace an existing 21-bed intermediate care facility for the
1.12 developmentally disabled located in Cottonwood County that has been operating since
1.13 September 1977;

1.14 (2) the new facilities must be located on nonadjacent parcels of land; and

1.15 (3) the new facilities are handicapped accessible.

1.16 (b) The medical assistance payment rate for the new facilities must be the higher of
1.17 the rate specified in paragraph (c) or as otherwise provided by law.

1.18 (c) The new facilities must be considered newly established facilities for rate-setting
1.19 purposes and must be eligible for the investment per-bed limit specified in section
1.20 256B.501, subdivision 11, paragraph (c), and the interest expense limitation specified in
1.21 section 256B.501, subdivision 11, paragraph (d). Notwithstanding section 256B.501, the
1.22 newly established facility's initial payment rate must be set according to Minnesota Rules,
1.23 part 9553.0075, and are not subject to section 256B.501, subdivision 5b.

- 2.1 (d) During the construction of the new facilities, Cottonwood County shall work
- 2.2 with residents, families, and service providers to determine all service options open to
- 2.3 current residents of the facility.