

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **3048**

- 03/14/2016 Authored by Zerwas; Dean, M.; Yarusso; Masin; Loeffler and others
The bill was read for the first time and referred to the Committee on Aging and Long-Term Care Policy
- 03/24/2016 Adoption of Report: Amended and re-referred to the Committee on Health and Human Services Reform
- 04/01/2016 Adoption of Report: Amended and re-referred to the Committee on Health and Human Services Finance
- 04/07/2016 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/14/2016 Adoption of Report: Placed on the General Register
Read Second Time

1.1 A bill for an act
1.2 relating to health; modifying definitions related to hospice services to include
1.3 care to certain individuals 21 years of age or younger diagnosed with a
1.4 life-threatening condition; appropriating money; amending Minnesota Statutes
1.5 2014, section 144A.75, subdivisions 5, 6, 8, by adding a subdivision; Minnesota
1.6 Statutes 2015 Supplement, section 144A.75, subdivision 13.

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

1.8 Section 1. Minnesota Statutes 2014, section 144A.75, subdivision 5, is amended to read:
1.9 Subd. 5. **Hospice provider.** "Hospice provider" means an individual, organization,
1.10 association, corporation, unit of government, or other entity that is regularly engaged
1.11 in the delivery, directly or by contractual arrangement, of hospice services for a fee to
1.12 ~~terminally ill~~ hospice patients. A hospice must provide all core services.

1.13 Sec. 2. Minnesota Statutes 2014, section 144A.75, subdivision 6, is amended to read:

1.14 Subd. 6. **Hospice patient.** "Hospice patient" means an individual ~~who has been~~
1.15 ~~diagnosed as terminally ill, with a probable life expectancy of under one year, as whose~~
1.16 illness has been documented by the individual's attending physician and hospice medical
1.17 director, who alone or, when unable, through the individual's family has voluntarily
1.18 consented to and received admission to a hospice provider, and who:

1.19 (1) has been diagnosed as terminally ill, with a probable life expectancy of under
1.20 one year; or

1.21 (2) is 21 years of age or younger and has been diagnosed with a life-threatening
1.22 illness contributing to a shortened life expectancy.

1.23 Sec. 3. Minnesota Statutes 2014, section 144A.75, subdivision 8, is amended to read:

2.1 Subd. 8. **Hospice services; hospice care.** "Hospice services" or "hospice care"
2.2 means palliative and supportive care and other services provided by an interdisciplinary
2.3 team under the direction of an identifiable hospice administration to ~~terminally ill~~ hospice
2.4 patients and their families to meet the physical, nutritional, emotional, social, spiritual,
2.5 and special needs experienced during the final stages of illness, dying, and bereavement,
2.6 or during a life-threatening illness contributing to a shortened life expectancy. These
2.7 services are provided through a centrally coordinated program that ensures continuity and
2.8 consistency of home and inpatient care that is provided directly or through an agreement.

2.9 Sec. 4. Minnesota Statutes 2015 Supplement, section 144A.75, subdivision 13, is
2.10 amended to read:

2.11 Subd. 13. **Residential hospice facility.** (a) "Residential hospice facility" means a
2.12 facility that resembles a single-family home modified to address life safety, accessibility,
2.13 and care needs, located in a residential area that directly provides 24-hour residential
2.14 and support services in a home-like setting for hospice patients as an integral part of the
2.15 continuum of home care provided by a hospice and that houses:

2.16 (1) no more than eight hospice patients; or

2.17 (2) at least nine and no more than 12 hospice patients with the approval of the local
2.18 governing authority, notwithstanding section 462.357, subdivision 8.

2.19 (b) Residential hospice facility also means a facility that directly provides 24-hour
2.20 residential and support services for hospice patients and that:

2.21 (1) houses no more than 21 hospice patients;

2.22 (2) meets hospice certification regulations adopted pursuant to title XVIII of the
2.23 federal Social Security Act, United States Code, title 42, section 1395, et seq.; and

2.24 (3) is located on St. Anthony Avenue in St. Paul, Minnesota, and was licensed as a
2.25 40-bed non-Medicare certified nursing home as of January 1, 2015.

2.26 Sec. 5. Minnesota Statutes 2014, section 144A.75, is amended by adding a subdivision
2.27 to read:

2.28 Subd. 13a. **Respite care.** "Respite care" means short-term care in an inpatient facility
2.29 such as a residential hospice facility, when necessary to relieve the hospice patient's family
2.30 or other persons caring for the patient. Respite care may be provided on an occasional basis.

2.31 Sec. 6. **APPROPRIATION.**

2.32 \$5,000 in fiscal year 2017 is appropriated from the state government special revenue
2.33 fund to the commissioner of health for licensure of hospice providers that provide care

- 3.1 to hospice patients who are 21 years of age or younger and have been diagnosed with a
- 3.2 life-threatening illness contributing to a shortened life expectancy.