

## CHAPTER 316—H.F.No. 1794

*An act relating to human services; extending the deadline for permanent rules for nursing home reimbursement under the medical assistance program; amending Minnesota Statutes 1984, sections 144.072, subdivision 2; and 256B.431, subdivision 6.*

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

Section 1. Minnesota Statutes 1984, section 144.072, subdivision 2, is amended to read:

Subd. 2. **EXISTING PROCEDURES.** The policies and procedures, including survey forms, reporting forms, and other documents developed by the commissioner of health for the purpose of conducting the inspections of care required under Code of Federal Regulations, title 42, sections 456.600 to 456.614, in effect on March 1, 1984, have the force and effect of law and shall remain in effect and govern inspections of care until June 30, ~~1986~~ 1987, unless otherwise superseded by rules adopted by the commissioner of health.

Sec. 2. Minnesota Statutes 1984, section 256B.431, subdivision 6, is amended to read:

Subd. 6. **RULES.** The commissioners of health and human services shall adopt emergency rules necessary for the implementation and enforcement of the reimbursement system established in Laws 1984, chapter 641, sections 10 to 20. The commissioner of health may adopt emergency rules relating to the licensure requirements of boarding care homes and nursing homes promulgated under sections 144.56 and 144A.08 if appropriate due to the changes in the reimbursement system. Until June 30, ~~1986~~ 1987, any emergency rules adopted by the commissioner of health or the commissioner of human services under this section shall be adopted in accordance with the provisions contained in sections 14.29 to 14.36 in effect on March 1, 1984. Emergency rules adopted under this subdivision have the force and effect of law and remain in effect until June 30, ~~1986~~ 1987, unless otherwise superseded by rule. The procedures for the adoption of the emergency rules authorized by this subdivision shall prevail over any other act that amends chapter 14 regardless of the date of final enactment of those amendments. The rules shall be developed in consultation with the interagency board for quality assurance, provider groups and consumers and the board shall conduct public hearings as appropriate. The commissioners of health and human services shall consider all comments received and shall not implement the emergency rules until a report on the proposed rules has been presented to the senate health and human services committee and the house of representatives health and welfare committee. The rules are effective five days after publication in the State Register.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Approved March 5, 1986

Changes or additions are indicated by underline, deletions by ~~strikeout~~.