

Subd. 10. ASSESSMENTS FOR SHORT-STAY RESIDENTS. Upon federal approval, a nursing home is not required to perform a resident assessment on a resident expected to remain in the facility for 30 days or less. A short-stay resident transferring from a hospital to a nursing home must have a plan of care developed at the hospital before admission to the nursing home. If a short-stay resident remains in the nursing home longer than 30 days, the nursing home must perform the resident assessment in accordance with sections 144.072 to 144.0722 within 40 days of the resident's admission.

Sec. 2. WAIVER REQUEST.

The commissioners of health and human services shall seek any federal waivers necessary to accomplish the following:

(1) eliminate the three-day hospital stay requirement before receiving Medicare skilled nursing facility coverage;

(2) allow for Medicare reimbursement for respiratory therapists providing services in a skilled nursing facility or at home;

(3) eliminate assessments for residents that are expected to stay in a subacute unit of a skilled nursing facility for 30 days or less;

(4) allow staff other than nurses' aides to transport and feed residents of a skilled nursing facility;

(5) allow the state to commingle Medicare and alternative care grant funds for individuals eligible for both programs; and

(6) permit a nursing home to satisfy the financial requirement under Code of Federal Regulations, title 42, section 483.10 (c)(7)(1994), through self-insurance mechanisms, including a savings account listing the commissioner on the account or a letter of credit.

Presented to the governor March 1, 1996

Signed by the governor March 4, 1996, 11:12 a.m.

CHAPTER 297—S.F.No. 2166

An act relating to capital improvements; permitting up to a 40-year term for certain bonds; amending Minnesota Statutes 1994, sections 429.091, subdivision 3; and 475.54, subdivisions 1 and 3.

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

Section 1. Minnesota Statutes 1994, section 429.091, subdivision 3, is amended to read:

Subd. 3. **METHOD OF ISSUANCE.** All obligations shall be issued in accordance with the provisions of chapter 475, except as provided in this subdivision.

An election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property.

New language is indicated by underline, deletions by ~~strikeout~~.

If the full faith, credit, and taxing power of the municipality is not pledged and the bonds are issued to finance a fire protection system, a public sale shall not be required and the obligations may

(a) mature at any time or times within 30 years from date of issue; or 40 years or the useful life of the asset, whichever is less, for municipal water and waste water treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture;

(b) mature in the amount or amounts,

(c) be sold at a price equal to the percentage of their par value, plus accrued interest, and

(d) bear interest at the rate or rates,

as agreed by the purchaser and the municipality, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law.

The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds maturing and subject to further conditions as set forth in subdivision 5. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Sec. 2. Minnesota Statutes 1994, section 475.54, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 3, 5a, 15, or 17, or as expressly authorized in another law, all obligations of each issue shall mature or be subject to mandatory sinking fund redemption in installments, the first not later than three years and the last not later than 30 years from the date of the issue; or 40 years or the useful life of the asset, whichever is less, for municipal water and wastewater treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture. No amount of principal of the issue payable in any calendar year shall exceed five times the amount of the smallest amount payable in any preceding calendar year ending three years or more after the issue date.

Sec. 3. Minnesota Statutes 1994, section 475.54, subdivision 3, is amended to read:

Subd. 3. Obligations payable solely from a special fund, for payment of which the full faith and credit of the issuer is not pledged, may mature at any time or times within 30 years from date of issue, (40 years or the useful life of the asset, whichever is less, if for municipal water and wastewater treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture) if the receipts pledged to the fund are estimated by the governing body to be sufficient and are irrevocably appropriated first to pay annual or semiannual interest on all obligations payable from the fund and to provide such reserve as may be agreed upon for the security of interest payments, and then to retire a specified portion of the principal in each year according to a schedule of redemption and prepayment which conforms to the requirements for the maturity schedule of other obligations in subdivision 1.

New language is indicated by underline, deletions by strikeout.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective the day following final enactment.

Presented to the governor March 1, 1996

Signed by the governor March 4, 1996, 11:15 a.m.

CHAPTER 298—S.F.No. 1925

An act relating to the housing finance agency; making technical changes to requirements under single family housing programs; amending Minnesota Statutes 1994, sections 462A.05, subdivisions 14a and 18; and 462A.07, subdivision 14.

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

Section 1. Minnesota Statutes 1994, section 462A.05, subdivision 14a, is amended to read:

Subd. 14a. **REHABILITATION LOANS; EXISTING OWNER OCCUPIED RESIDENTIAL HOUSING.** It may make loans to persons and families of low and moderate income to rehabilitate or to assist in rehabilitating existing residential housing owned and occupied by those persons or families. No loan shall be made unless the agency determines that the loan will be used primarily for rehabilitation work necessary for health or safety, essential accessibility improvements, or to improve the energy efficiency of the dwelling. No loan for rehabilitation of owner occupied residential housing shall be denied solely because the loan will not be used for placing the residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. The amount of any loan shall not exceed the lesser of (a) \$10,000 a maximum loan amount determined under rules adopted by the agency not to exceed \$20,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by the person or family without the expenditure of an unreasonable portion of the income of the person or family. Loans made in whole or in part with federal funds may exceed the maximum loan amount to the extent necessary to comply with federal lead abatement requirements prescribed by the funding source. In making loans, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion of the loan will be repaid and shall determine the appropriate security for the repayment of the loan. Loans pursuant to this subdivision may be made with or without interest or periodic payments. Loans made without interest or periodic payments need not be repaid by the borrower if the property for which the loan is made has not been sold, transferred, or otherwise conveyed nor has it ceased to be the principal place of residence of the borrower, within ten years after the date of the loan.

Sec. 2. Minnesota Statutes 1994, section 462A.05, subdivision 18, is amended to read:

Subd. 18. **LOANS TO NONPROFIT SPONSORS.** It may make loans to "non-profit" sponsors as defined by the agency, with or without interest, and with such security

New language is indicated by underline, deletions by ~~strikeout~~.