

responsive to program needs within the constraints of the budget, to solve design problems and achieve a design consistent with the proposed function of the building, to avoid costly design errors or omissions, and to observe the construction work. These reports are public data and are available for inspection under section 13.03.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:01 a.m.

CHAPTER 34—S.F.No. 319

An act relating to judgments; regulating the discharge of judgments against bankruptcy debtors; amending Minnesota Statutes 2000, section 548.181, subdivision 2.

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

Section 1. Minnesota Statutes 2000, section 548.181, subdivision 2, is amended to read:

Subd. 2. **APPLICATION REQUIREMENTS; SERVICE.** An application under subdivision 1 must identify each judgment to be discharged, must be accompanied by a certified copy of the judgment debtor's bankruptcy discharge or a certificate by the clerk of the United States bankruptcy court of the discharge, must state the time the judgment creditor has to object as specified in subdivision 3 and the grounds for objection as specified in subdivision 4, must be served at the expense of the applicant on each judgment creditor either: (1) in the manner provided for the service of a summons in a civil action and must be accompanied by an affidavit of service, or (2) by certified mail to the judgment creditor's last known address as it appears in the court record, and must be accompanied by an affidavit of mailing.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:00 a.m.

CHAPTER 35—S.F.No. 456

An act relating to human services; allowing mental retardation and related conditions waiver recipients access to respite care in intermediate care facilities for persons with mental retardation and related conditions; amending Minnesota Statutes 2000, section 256B.501, by adding a subdivision.

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

Section 1. Minnesota Statutes 2000, section 256B.501, is amended by adding a subdivision to read:

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

Subd. 4c. ACCESS TO RESPITE CARE. Upon the request of a recipient receiving services under the community-based waiver for persons with mental retardation and related conditions, or the recipient's legal representative, a county agency shall screen the recipient for appropriate and necessary services and shall place the recipient on and off the waiver as needed in order to allow the recipient access to short-term care as available in an intermediate care facility for persons with mental retardation and related conditions.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:05 a.m.

CHAPTER 36—H.F.No. 275

An act relating to human services; modifying the procedure for counting savings under nursing facility closure plans; amending Minnesota Statutes 2000, section 256B.436, subdivision 6.

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

Section 1. Minnesota Statutes 2000, section 256B.436, subdivision 6, is amended to read:

Subd. 6. COST SAVINGS OF CLOSURE. For purposes of this section, the calculation of medical assistance cost savings from the closure of a nursing facility designated for closure under a closure plan shall be according to the following criteria:

(a) The projected medical assistance savings of the closure of a facility shall be the aggregate medical assistance payments to the facility for the most recently completed state fiscal year prior to submission of the proposal, as reflected in the number of resident days of care for each resident class provided by the facility in that fiscal year, multiplied by the payment rate for each resident class.

(b) If one or more facilities designated for closure in an approved closure plan are not able to be closed for any reason, or projection of savings for that closure are otherwise prohibited under this section, the projected medical assistance savings from that closure may not be offset against the medical assistance costs of special rate adjustments under the plan. In that event, the applicant must notify the commissioner in writing and the applicant must either amend its proposal by reducing the special rate adjustment to reduce the medical assistance cost of the plan by at least the amount of the medical assistance savings that were projected from the closure of that facility or withdraw the plan.

(c) No medical assistance savings shall be projected from closure of a nursing facility that is designated for closure under a closure plan, if the facility is: (1) subject to adverse licensure action under section 144A.11; or (2) located in a county with a ratio of nursing facility beds to county residents age 85 and over that is in the lowest

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