

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.

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### 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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quartile of all counties in the state, at the time the proposal is submitted or at the commencement of closure.

(d) Medical assistance savings under paragraph (a) shall be recognized for purposes of this section beginning the first day of the month following the month of completion of closure for all facilities designated for closure under the plan, or all facilities designated for closure under that phase for a phased plan.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:07 a.m.

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**CHAPTER 37—H.F.No. 125**

*An act relating to professions; modifying licensure requirements for foreign-trained dentists; amending Minnesota Statutes 2000, section 150A.06, subdivision 1.*

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

Section 1. Minnesota Statutes 2000, section 150A.06, subdivision 1, is amended to read:

Subdivision 1. **DENTISTS.** A person of good moral character not already a licensed dentist of the state, having submitted an application and fee as prescribed by the board and the diploma or equivalent awarded to the person by a dental college approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in a manner to test the applicant's fitness to practice dentistry. A graduate of a dental college in another country must not be disqualified from examination solely because of the applicant's foreign training if the board determines that the training is equivalent to or higher than that provided by a dental college approved by the Commission on Dental Accreditation of the American Dental Association or a successor organization. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant is ineligible to retake the clinical examination required by the board after failing it twice until further education and training are obtained as specified by the board by rule. A separate, nonrefundable fee may be charged for each time a person applies. An applicant who passes the examination in compliance with subdivision 2b and meets all other requirements of the board shall be licensed to practice dentistry and supplied with a license by the board.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:08 a.m.

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