

east and south of a line described as follows: commencing at the intersection of the southern boundary of the city of Maplewood and White Bear Avenue, northerly along White Bear Avenue to North St. Paul Road, northeasterly along North St. Paul Road to the eastern boundary of the city of Maplewood, and that portion of Washington county not included in the eleventh or sixteenth council district.

(13) The thirteenth council district consists of that portion of Ramsey county consisting of that portion of the city of St. Paul lying south of a line described as follows: commencing at the intersection of the eastern boundary of the city of St. Paul and Old Hudson Road, westerly along Old Hudson Road to White Bear Avenue, northerly along White Bear Avenue to East 3rd Street, westerly along East 3rd Street to Johnson Parkway, northerly along Johnson Parkway to East 4th Street, westerly along East 4th Street to Mounds Boulevard, southeasterly along Mounds Boulevard to East 3rd Street, southeasterly along East 3rd Street to the Burlington Northern Railroad tracks, northerly along the Burlington Northern Railroad tracks to the east-west Burlington Northern Railroad tracks, westerly along the east-west Burlington Northern Railroad tracks to Interstate Highway 35E, southerly along Interstate Highway 35E to University Avenue, westerly along University Avenue to Cleveland Avenue, southerly along Cleveland Avenue to Interstate Highway 94, westerly along Interstate Highway 94 to the western boundary of the city of St. Paul.

(14) The fourteenth council district consists of that portion of Ramsey county consisting of the cities of Falcon Heights and Lauderdale, and that portion of the city of St. Paul not included in the thirteenth council district.

(15) The fifteenth council district consists of that portion of Dakota county consisting of the cities of Apple Valley, Burnsville, Eagan, Lilydale, Mendota, and Mendota Heights.

(16) The sixteenth council district consists of that portion of Dakota county in the metropolitan area not included in the fourth or fifteenth council district, and that portion of Washington county consisting of the cities of Cottage Grove, Hastings, and St. Paul Park, and the towns of Denmark and Grey Cloud Island.

Presented to the governor April 1, 2003

Signed by the governor April 2, 2003, 2:30 p.m.

CHAPTER 9—H.F.No. 1158

An act relating to human services; increasing an intergovernmental transfer payment; increasing the county nursing home payment adjustment; appropriating money; amending Minnesota Statutes 2002, sections 256B.19, subdivision 1d; 256B.431, subdivision 23.

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

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

Section 1. Minnesota Statutes 2002, section 256B.19, subdivision 1d, is amended to read:

Subd. 1d. **PORTION OF NONFEDERAL SHARE TO BE PAID BY CERTAIN COUNTIES.** (a) In addition to the percentage contribution paid by a county under subdivision 1, the governmental units designated in this subdivision shall be responsible for an additional portion of the nonfederal share of medical assistance cost. For purposes of this subdivision, "designated governmental unit" means the counties of Becker, Beltrami, Clearwater, Cook, Dodge, Hubbard, Itasca, Lake, Pennington, Pipestone, Ramsey, St. Louis, Steele, Todd, Traverse, and Wadena.

(b) Beginning in 1994, each of the governmental units designated in this subdivision shall transfer before noon on May 31 to the state Medicaid agency an amount equal to the number of licensed beds in any nursing home owned and operated by the county on that date, with the county named as licensee, multiplied by \$5,723. If two or more counties own and operate a nursing home, the payment shall be prorated. These sums shall be part of the designated governmental unit's portion of the nonfederal share of medical assistance costs.

(c) Beginning in 2002, in addition to any transfer under paragraph (b), each of the governmental units designated in this subdivision shall transfer before noon on May 31 to the state Medicaid agency an amount equal to the number of licensed beds in any nursing home owned and operated by the county on that date, with the county named as licensee, multiplied by \$10,784. The provisions of paragraph (b) apply to transfers under this paragraph.

(d) Beginning in 2003, in addition to any transfer under paragraphs (b) and (c), each of the governmental units designated in this subdivision shall transfer before noon on May 31 to the state Medicaid agency an amount equal to the number of licensed beds in any nursing home owned and operated by the county on that date, with the county named as licensee, multiplied by \$2,230. The provisions of paragraph (b) apply to transfers under this paragraph.

(e) The commissioner may reduce the intergovernmental transfers under paragraph paragraphs (c) and (d) based on the commissioner's determination of the payment rate in section 256B.431, subdivision 23, paragraphs (c) and (d), and (e). Any adjustments must be made on a per-bed basis and must result in an amount equivalent to the total amount resulting from the rate adjustment in section 256B.431, subdivision 23, paragraphs (c) and (d), and (e).

EFFECTIVE DATE. This section is effective retroactive to January 1, 2003.

Sec. 2. Minnesota Statutes 2002, section 256B.431, subdivision 23, is amended to read:

Subd. 23. **COUNTY NURSING HOME PAYMENT ADJUSTMENTS.** (a) Beginning in 1994, the commissioner shall pay a nursing home payment adjustment on May 31 after noon to a county in which is located a nursing home that, on that date, was county-owned and operated, with the county named as licensee by the commissioner of health, and had over 40 beds and medical assistance occupancy in excess of

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50 percent during the reporting year ending September 30, 1991. The adjustment shall be an amount equal to \$16 per calendar day multiplied by the number of beds licensed in the facility as of September 30, 1991 on that date.

(b) Payments under paragraph (a) are excluded from medical assistance per diem rate calculations. These payments are required notwithstanding any rule prohibiting medical assistance payments from exceeding payments from private pay residents. A facility receiving a payment under paragraph (a) may not increase charges to private pay residents by an amount equivalent to the per diem amount payments under paragraph (a) would equal if converted to a per diem.

(c) Beginning in 2002, in addition to any payment under paragraph (a), the commissioner shall pay to a nursing facility described in paragraph (a) an adjustment in an amount equal to \$29.55 per calendar day multiplied by the number of beds licensed in the facility on that date. The provisions of paragraphs (a) and (b) apply to payments under this paragraph.

(d) Beginning in 2003, in addition to any payment under paragraphs (a) and (c), the commissioner shall pay to a nursing facility described in paragraph (a) an adjustment in an amount equal to \$6.11 per calendar day multiplied by the number of beds licensed in the facility on that date. The provisions of paragraphs (a) and (b) apply to payments under this paragraph.

(e) The commissioner may reduce payments under ~~paragraph~~ paragraphs (c) and (d) based on the commissioner's determination of Medicare upper payment limits. Any adjustments must be proportional to adjustments made under section 256B.19, subdivision 1d, paragraph ~~(d)~~ (e).

EFFECTIVE DATE. This section is effective retroactive to January 1, 2003.

Sec. 3. APPROPRIATION.

\$1,529,000 is appropriated from the general fund to the commissioner of human services for the fiscal year beginning July 1, 2002, for the purpose of section 2.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor April 3, 2003

Signed by the governor April 7, 2003, 4:35 p.m.

CHAPTER 10—H.F.No. 267

An act relating to insurance; modifying the standard fire insurance policy; amending Minnesota Statutes 2002, section 65A.01, subdivision 3.

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

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