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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2174

02/27/2023 Authored by Schomacker The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; specifying investigative authority in response to reports of
1.3 maltreatment of vulnerable adults in federally certified facilities; amending
1.4 Minnesota Statutes 2022, section 626.557, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 626.557, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 10c. Federal equivalency. (a) The requirements contained in subdivisions 9b,
1.9 9c, 9d, 10b, and 12b, paragraph (b), shall not apply to the commissioner of health in
1.10 responding to reports made regarding federally certified facilities. Responses to reports
1.11 regarding federally certified facilities shall be governed by the applicable federal regulations
1.12 for surveying and investigating such facilities.

1.13 (b) The Code of Federal Regulations, title 42, sections 483 and 488, and the Centers for
1.14 Medicare and Medicaid Services, State Operations Manual, Chapter 7 and Appendix PP,
1.15 are considered equivalent to the Minnesota Vulnerable Adults Act in meeting the public
1.16 policy of protecting vulnerable adults as required in subdivision 1. Violations of the federal
1.17 regulations may result in enforcement actions under section 144A.10.