

4655.1070 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 4655.1070 to 4655.1098, the following terms have the meanings given them in this part.

Subp. 2. **Advisory review panel.** "Advisory review panel" means the group of individuals that must form recommendations according to part 4655.1086 and that is appointed by the Interagency Long-Term Care Planning Committee under part 4655.1074 and Minnesota Statutes, section 144A.073, subdivision 3.

Subp. 3. **Allowable costs.** "Allowable costs" means costs allowable according to part 9549.0035, subpart 1.

Subp. 4. **Alternative care grant.** "Alternative care grant" has the meaning given in part 9505.2395, subpart 4.

Subp. 5. **Annual statistical report.** "Annual statistical report" means the report incorporated by reference under part 4655.1072.

Subp. 6. **Appraised value.** "Appraised value" means the value of the nursing home buildings, attached fixtures, and land improvements used for resident care as determined under part 9549.0060.

Subp. 7. **Attached fixtures.** "Attached fixtures" has the meaning given in part 9549.0020, subpart 6.

Subp. 8. **Attached hospital.** "Attached hospital" means a hospital that is under common ownership and operation with a nursing home and shares with that nursing home the cost of common service areas such as nursing, dietary, housekeeping, laundry, plant operations, or administrative services.

Subp. 9. **Buildings.** "Buildings" has the meaning given in part 9549.0020, subpart 7.

Subp. 10. **Certified boarding care home.** "Certified boarding care home" means a facility licensed under parts 4655.0090 to 4655.1060 and 4655.1200 to 4655.9900, and certified to participate in medical assistance under United States Code, title 42, sections 1396 to 1396p as amended.

Subp. 11. **Commenced construction.** "Commenced construction" has the meaning given it under Minnesota Statutes, section 144A.071, subdivision 1a, paragraph (d).

Subp. 12. **Commissioner.** "Commissioner" means the commissioner of the Department of Health or the commissioner's representative.

Subp. 13. **Conversion.** "Conversion" has the meaning given in Minnesota Statutes, section 144A.073, subdivision 1, paragraph (a).

Subp. 14. **Cost report.** "Cost report" means the document and supporting material specified by the commissioner of the Department of Human Services and prepared by

the nursing home. The cost report includes the statistical, financial, and other relevant information required in part 9549.0041 for rate determination.

Subp. 15. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 16. **Estimated operating costs.** "Estimated operating costs" means a facility's estimated operating costs during the first 24 months after completion of the project.

Subp. 17. **Facility.** "Facility" means the attached hospital, nursing home, or certified boarding care home named on a proposal.

Subp. 18. **Hospital.** "Hospital" means an acute care institution licensed under Minnesota Statutes, sections 144.50 to 144.58.

Subp. 19. **Interagency long-term care planning committee or INTERCOM.** "Interagency long-term care planning committee" or "INTERCOM" means the committee established under Minnesota Statutes, section 144A.31, subdivision 1.

Subp. 20. **Land improvement.** "Land improvement" has the meaning given in part 9549.0020, subpart 28.

Subp. 21. **Medical assistance.** "Medical assistance" means the program established under title XIX of the Social Security Act and Minnesota Statutes, chapter 256B.

Subp. 22. **Medical assistance cost.** "Medical assistance cost" means the annual amount by which medical assistance payments will change if a proposal is implemented. Medical assistance costs are determined according to part 4655.1084, subpart 2, and as provided under Minnesota Statutes, section 144A.073.

Subp. 23. **Nursing home.** "Nursing home" means a facility licensed according to Minnesota Statutes, chapter 144A.

Subp. 24. **Operating costs.** "Operating costs" has the meaning given in part 9549.0020, subpart 32.

Subp. 25. **Proposal.** "Proposal" means a detailed written plan for a conversion, renovation, replacement, or upgrading.

Subp. 26. **Proposer.** "Proposer" means the organization or individual authorized by a facility's governing board or management to prepare and submit a proposal to the INTERCOM.

Subp. 27. **Relocation.** "Relocation" means the movement of licensed nursing home beds or certified boarding care home beds from the existing site as permitted under Minnesota Statutes, section 144A.073, subdivision 5.

Subp. 28. **Renovation.** "Renovation" has the meaning given in Minnesota Statutes, section 144A.073, subdivision 1, paragraph (b).

Subp. 29. **Replacement.** "Replacement" means the demolition or delicensure and reconstruction or construction of an addition to all or a substantial part of an existing facility.

Subp. 30. **Soft costs.** "Soft costs" means costs capitalized as part of the project relating to implementation of the proposal, including:

- A. sales taxes on materials;
 - B. contractor's overhead and profit;
 - C. architect and engineering fees;
 - D. construction period interest;
 - E. permits, zoning, and construction financing;
 - F. feasibility, economic, and demographic studies;
 - G. legal, accounting, and consulting fees relating to creation of the development;
- and
- H. cost of designing the improvements.

Subp. 31. **Statutory restriction.** "Statutory restriction" means a replacement restriction, conversion restriction, or upgrading restriction as described under Minnesota Statutes, section 144A.073, subdivisions 5 to 7.

Subp. 32. **Submission deadline.** "Submission deadline" means the date by which a proposal must be received by the INTERCOM, which, according to part 4655.1080, subpart 3, is no later than 90 days after the date a request for proposals is published in the State Register.

Subp. 33. **Upgrading.** "Upgrading" has the meaning given in Minnesota Statutes, section 144A.073, subdivision 1, paragraph (d).

Subp. 34. **Working day.** "Working day" means Monday, Tuesday, Wednesday, Thursday, or Friday, excluding legal holidays recognized by the state of Minnesota.

Statutory Authority: *MS s 144A.071; 144A.073*

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