

**4664.0002 APPLICABILITY; AUTHORITY; SCOPE.**

Subpart 1. **Scope; authority.** Parts 4664.0002 to 4664.0550 implement the licensing of hospice providers under Minnesota Statutes, sections 144A.75 to 144A.755, under the authority of Minnesota Statutes, section 144A.752. This chapter must be read together with Minnesota Statutes, sections 144A.75 to 144A.755.

**Subp. 2. Medicare-certified hospice; exemptions.**

A. As used in this part, the term "Medicare-certified hospice" means a hospice provider certified under the Medicare program and surveyed and enforced by the Minnesota Department of Health.

B. All licensed hospice providers must comply with this chapter, except that a Medicare-certified hospice need not comply with the following provisions of this chapter:

- (1) part 4664.0020, subpart 3;
- (2) part 4664.0060, subpart 1;
- (3) part 4664.0070, subparts 1 and 2;
- (4) part 4664.0080, subpart 3;
- (5) part 4664.0085;
- (6) part 4664.0090, subparts 2 and 3;
- (7) part 4664.0100;
- (8) part 4664.0110, subpart 1, items A and C;
- (9) part 4664.0120, subpart 2;
- (10) part 4664.0160;
- (11) part 4664.0170, subpart 2;
- (12) part 4664.0180, subparts 1, 3, 4, and 8;
- (13) part 4664.0190, subparts 1, 2, and 4;
- (14) part 4664.0210;
- (15) part 4664.0220;
- (16) part 4664.0230;
- (17) part 4664.0240;
- (18) part 4664.0250;
- (19) part 4664.0260; or
- (20) part 4664.0270, subparts 1, 2, and 8.

C. Medicare-certified hospices are exempt from the listed provisions under item B because Medicare-certified hospices must comply with equivalent federal statutes or regulations relating to the same subject matter. If a Medicare-certified hospice violates an equivalent federal statute or regulation, the violation is considered by the commissioner to be detrimental to the welfare of a patient and the Medicare-certified hospice is subject to licensing action under Minnesota Statutes, section 144A.754.

Subp. 3. **Delegation.** The commissioner may delegate any authority or responsibility to an agent of the department.

**Statutory Authority:** *MS s 144A.752*

**History:** *28 SR 1639*

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