

9510.2010 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 9510.2000 to 9510.2050, the following terms have the meanings given them in this part.

Subp. 2. **Appeal.** "Appeal" means a written request made to the commissioner by a nursing home, Minnesota hospital, or HMO for a contested case hearing under Minnesota Statutes, chapter 14, regarding the amount of the medical care surcharge.

Subp. 3. **Closed or closing.** "Closed" or "closing" means the facility has suspended the practice of providing inpatient hospital services, has suspended the practice of providing outpatient services, has suspended operation as a nursing home, or is in the process of suspending services under a plan of closure approved by the department.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Department of Human Services or the commissioner's designated representative.

Subp. 5. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 6. **Federal Indian Health Service facility.** "Federal Indian Health Service facility" means a facility of the Indian Health Service, including a hospital, nursing facility, or other type of facility that provides services or a type of service otherwise covered under the state's medical assistance program, whether operated by the federal Indian Health Service or by an Indian tribe or tribal organization.

Subp. 7. **Health maintenance organization or HMO.** "Health maintenance organization" or "HMO" means a health maintenance organization licensed and operating under Minnesota Statutes, chapter 62D.

Subp. 8. **Hospital.** "Hospital" has the meaning given in part 9505.0175, subpart 16, but does not include federal Indian Health Service facilities and regional treatment centers.

Subp. 9. **Medical care surcharge.** "Medical care surcharge" means the amount of tax to be paid by a nursing home, Minnesota hospital, or HMO under Minnesota Statutes, section 256.9657.

Subp. 10. **Minnesota hospital.** "Minnesota hospital" means a hospital located in Minnesota.

Subp. 11. **Nursing home.** "Nursing home" means a facility as defined in Minnesota Statutes, section 144A.01, subdivision 5, and licensed under Minnesota Statutes, chapter 144A.

Subp. 12. **Regional treatment center.** "Regional treatment center" means a "state facility" as defined in Minnesota Statutes, section 246.50, subdivision 3.

Subp. 13. **Settle-up.** "Settle-up" means to reduce an amount subsequently owed or to make a payment after resolution of an appeal under part 9510.2040 between a nursing home, Minnesota hospital, or HMO and the department in order to settle the difference between the medical care surcharge paid and the medical care surcharge owed.

Statutory Authority: *MS s 256.9657; 256B.74*

History: *17 SR 2860*

Published Electronically: *October 8, 2007*