

CHAPTER 198

VETERANS HOME

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198.003 POWERS AND DUTIES.

Subdivision 1. **Policy; rules; report.** It is the duty of the board and the board has the power to:

(1) determine policy and, subject to chapter 14, adopt, amend, and repeal rules for the governance of the homes, and to adopt emergency rules necessary to implement this chapter. With respect to residents' administrative appeal time periods that are not established by statute, the board may create by rule reasonable time periods within which a resident must appeal an administrative determination to the next administrative level. If the determination is not appealed within the time set by rule, the determination becomes final;

(2) report quarterly to the governor on the management, operations, and quality of care provided at the homes; and

(3) take other action as provided by law.

Emergency rules adopted under this section are not effective after December 31, 1989.

Subd. 2. **Deputy commissioner.** The board shall appoint an executive director who shall serve as secretary of the board.

Subd. 3. **Use of facilities.** The board may allow veterans organizations or public or private social service, educational, or rehabilitation agencies or organizations and their clients to use surplus facilities, staff, and other resources of the board and may require the participating agencies or organizations to pay for that use.

Subd. 4. **Veterans homes resources account.** Money received by the board under subdivision 3 must be deposited in the state treasury and credited to a veterans homes resources account in the special revenue fund. Money in the account is appropriated to the board to operate, maintain, and repair facilities used under subdivision 3, and to pay associated legal fees and expenses.

History: 1991 c 24 s 1; 1991 c 186 s 1

198.005 ADMINISTRATORS.

The board shall appoint an administrator for each of the veterans homes. The administrators act as the administrative head for their respective veterans homes. The administrators shall have a current Minnesota nursing home administrator's license and shall serve in the unclassified service. The salaries of the administrators are not subject to section 43A.17, subdivision 1. The administrators serve at the pleasure of the board.

History: 1991 c 24 s 2

198.007 QUALITY ASSURANCE.

The board shall create a utilization review committee for each home comprised of the appropriate professionals employed by or under contract to the home. The committee shall use the case-mix system established under section 144.072 to assess the appropriateness and quality of care and services provided residents of the homes.

The board shall create an admissions committee for each home comprised of the appropriate professionals employed by or under contract to each home and adopt a pre-admission screening program for all applicants for admission to the homes who may require nursing or boarding care, taking into account the eligibility requirements in section 198.022, the admissions criteria established by board rules, and the availability of space in the homes.

History: 1991 c 292 art 7 s 3

198.03 MAINTENANCE CHARGES.

[For text of subs 1 and 2, see M.S.1990]

Subd. 3. Arrearages. Residents are liable for paying all of their overdue maintenance charges. Overdue maintenance charges incurred after May 1, 1990, may be charged interest according to section 334.01. A resident owing overdue maintenance to the state of Minnesota for charges incurred prior to May 1, 1990, may continue to stay in the home if the resident enters into an agreement, including a payment schedule, with the administrator for the payment of the arrearage and abides by the agreement. Residents who do not promptly pay maintenance or who do not abide by their agreements to pay overdue maintenance to the state of Minnesota may be discharged from the home. The payment schedule agreed to between the administrator and the resident must provide for the prompt payment of the overdue maintenance owed by the resident, but it must not reduce the resident's personal needs allowance below that which is provided for in the administrative rules of the facility.

History: 1991 c 24 s 3

198.35 VETERANS HOME; SILVER BAY.

Subdivision 1. Establishment. The board may establish a veterans home in Silver Bay by renovating an existing facility owned by the city of Silver Bay if the city donates the building to the board at no cost. Contracts made by the board for the purposes of this subdivision are subject to chapter 16B. Buildings used for the veterans home must comply with requirements established by federal agencies as conditions for the receipt of federal funds for the nursing and boarding care of veterans. The city of Silver Bay shall secure the state match requirement from sources other than the state general fund. Money from other sources must equal at least 35 percent of the total cost of the renovation with the remainder of the funds to be provided by the United States Veterans Administration.

Subd. 2. Operation. The home must provide beds for nursing or boarding and nursing care in conformance with licensing rules of the department of health. The home must be under the management of an administrator appointed by the board in the unclassified service.

History: 1991 c 24 s 4