

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 3397**

(SENATE AUTHORS: KOENEN)

DATE	D-PG	OFFICIAL STATUS
03/31/2016		Introduction and first reading Referred to Health, Human Services and Housing

A bill for an act

1.1 relating to health; requiring nursing facilities and boarding care homes to  
 1.2 reimburse adult training programs for certain costs of nursing assistant training  
 1.3 programs provided at no cost to program participants; modifying nursing facility  
 1.4 payment rates; amending Minnesota Statutes 2014, section 144A.611, by  
 1.5 adding a subdivision; Minnesota Statutes 2015 Supplement, section 256B.441,  
 1.6 subdivisions 13, 53.  
 1.7

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

1.9 Section 1. Minnesota Statutes 2014, section 144A.611, is amended by adding a  
 1.10 subdivision to read:

1.11 Subd. 4. **Reimbursement to training programs.** (a) Nursing facilities and  
 1.12 certified boarding care homes shall reimburse adult training programs that provide nursing  
 1.13 assistant training programs at no cost to program participants, for costs related to tuition,  
 1.14 competency evaluation, and reasonable expenses for providing the training program.  
 1.15 Reimbursement provided under this subdivision shall not exceed 30 percent of the  
 1.16 tuition and competency evaluation costs. A nursing facility or boarding care home shall  
 1.17 provide reimbursement under this subdivision only for those nursing assistants who have  
 1.18 completed the nursing assistant training program and competency evaluation within 90  
 1.19 days after the date of employment at the nursing facility or boarding care home or upon  
 1.20 completion of the training program, whichever is later. Costs under this subdivision shall  
 1.21 be allowable costs for the nursing facility under section 256B.441.

1.22 (b) For purposes of this subdivision, "adult training program" includes an adult basic  
 1.23 education program that provides a nursing assistant training program.

2.1 Sec. 2. Minnesota Statutes 2015 Supplement, section 256B.441, subdivision 13,  
2.2 is amended to read:

2.3 Subd. 13. **External fixed costs.** "External fixed costs" means costs related to the  
2.4 nursing home surcharge under section 256.9657, subdivision 1; licensure fees under  
2.5 section 144.122; family advisory council fee under section 144A.33; scholarships  
2.6 under section 256B.431, subdivision 36; planned closure rate adjustments under  
2.7 section 256B.437; single bed room incentives under section 256B.431, subdivision 42;  
2.8 property taxes, assessments, and payments in lieu of taxes; employer health insurance  
2.9 costs; quality improvement incentive payment rate adjustments under subdivision 46c;  
2.10 performance-based incentive payments under subdivision 46d; special dietary needs under  
2.11 subdivision 51b; ~~and PERA~~; and reimbursement to nursing assistant training programs  
2.12 under section 144A.611, subdivision 4.

2.13 Sec. 3. Minnesota Statutes 2015 Supplement, section 256B.441, subdivision 53,  
2.14 is amended to read:

2.15 Subd. 53. **Calculation of payment rate for external fixed costs.** The commissioner  
2.16 shall calculate a payment rate for external fixed costs.

2.17 (a) For a facility licensed as a nursing home, the portion related to section 256.9657  
2.18 shall be equal to \$8.86. For a facility licensed as both a nursing home and a boarding care  
2.19 home, the portion related to section 256.9657 shall be equal to \$8.86 multiplied by the  
2.20 result of its number of nursing home beds divided by its total number of licensed beds.

2.21 (b) The portion related to the licensure fee under section 144.122, paragraph (d),  
2.22 shall be the amount of the fee divided by actual resident days.

2.23 (c) The portion related to development and education of resident and family advisory  
2.24 councils under section 144A.33 shall be \$5 divided by 365.

2.25 (d) The portion related to scholarships shall be determined under section 256B.431,  
2.26 subdivision 36.

2.27 (e) The portion related to planned closure rate adjustments shall be as determined  
2.28 under section 256B.437, subdivision 6, and Minnesota Statutes 2010, section 256B.436.

2.29 (f) The single bed room incentives shall be as determined under section 256B.431,  
2.30 subdivision 42.

2.31 (g) The portions related to real estate taxes, special assessments, and payments made  
2.32 in lieu of real estate taxes directly identified or allocated to the nursing facility shall be the  
2.33 actual amounts divided by actual resident days.

2.34 (h) The portion related to employer health insurance costs shall be the allowable  
2.35 costs divided by resident days.

3.1 (i) The portion related to the Public Employees Retirement Association shall be  
3.2 actual costs divided by resident days.

3.3 (j) The portion related to quality improvement incentive payment rate adjustments  
3.4 shall be as determined under subdivision 46c.

3.5 (k) The portion related to performance-based incentive payments shall be as  
3.6 determined under subdivision 46d.

3.7 (l) The portion related to special dietary needs shall be the per diem amount  
3.8 determined under subdivision 51b.

3.9 (m) The portion related to reimbursement to nursing assistant training programs  
3.10 shall be determined under section 144A.611, subdivision 4.

3.11 ~~(m)~~ (n) The payment rate for external fixed costs shall be the sum of the amounts in  
3.12 paragraphs (a) to ~~(l)~~ (m).