

1.1 ..... moves to amend H.F. No. 828 as follows:

1.2 Page 1, after line 4, insert:

1.3 "Section 1. Minnesota Statutes 2010, section 256B.441, is amended by adding a  
1.4 subdivision to read:

1.5 Subd. 60. **Negotiated rates.** The commissioner may negotiate a rate adjustment  
1.6 with a nursing facility, according to the process under 256B.431, when that facility  
1.7 has been purchased by an unrelated party within the last six months. In determining if  
1.8 negotiations shall be initiated, the commissioner shall consider:

1.9 (1) the potential inadequacy of current rates as evidenced by the position in an array  
1.10 of operating costs of the rates of the requesting facility;

1.11 (2) preventing closure of facilities in under-bedded areas of the state, as measured by  
1.12 the number of beds per 1,000 elderly in the county or in contiguous counties in which the  
1.13 facility is located;

1.14 (3) the ability of the purchaser to provide high quality services as evidenced by high  
1.15 quality scores of other facilities under the control of the purchaser operating in Minnesota;

1.16 (4) the ability of the purchaser to operate efficiently as evidenced by the position of  
1.17 its other facilities in Minnesota, on an array of operating rates of all Minnesota facilities;

1.18 (5) previous success of the purchaser with negotiated rates;

1.19 (6) the financial soundness of the purchaser;

1.20 (7) avoiding negotiating interim rates with purchasers who have sold facilities that  
1.21 then requested interim rate negotiation; and

1.22 (8) avoiding too much consolidation of the nursing facility industry with any small  
1.23 number of providers."

1.24 Renumber the sections in sequence and correct the internal references

1.25 Amend the title accordingly