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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3222

04/13/2023 Authored by Zeleznikar, Knudsen, Davis, Mekeland, Harder and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; establishing a temporary hold on assessing fines against assisted
1.3 living facilities; requiring repayment of certain fines assessed against assisted
1.4 living facilities.

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

1.6 Section 1. TEMPORARY HOLD ON ASSESSMENT OF FINES AGAINST
1.7 ASSISTED LIVING FACILITIES.

1.8 Subdivision 1. Definition. For purposes of this section, "assisted living facility" means
1.9 a facility licensed under Minnesota Statutes, chapter 144G.

1.10 Subd. 2. Temporary hold on fines. Beginning on the effective date of this section
1.11 through December 31, 2023, the commissioner of health and the Office of Health Facility
1.12 Complaints shall not assess or collect from an assisted living facility monetary or civil
1.13 penalties, administrative or civil fines, penalty amounts to recover the cost of enforcement,
1.14 or other fines authorized in state law for noncompliance with a correction order; for
1.15 noncompliance with state law, including a violation identified in a state survey or
1.16 investigation; for noncompliance with a request for information; for failing to pay the correct
1.17 fee amount or failing to pay an initial fine; or, to the extent authorized by federal law, for
1.18 noncompliance with federal law.

1.19 Subd. 3. Return of fines and penalties paid. No later than September 1, 2023, the
1.20 commissioner of health shall repay to an assisted living facility any monetary penalties or
1.21 fines described in subdivision 2 that were paid by the assisted living facility to the
1.22 commissioner or Office of Health Facility Complaints after December 31, 2020, and through
1.23 the effective date of this section. A facility that receives a repayment under this subdivision

2.1 shall, to the extent possible, use the amount repaid to remedy the issue that led to the
2.2 assessment of the fine or penalty and promote positive outcomes for assisted living facility
2.3 residents.

2.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.5 applies to penalties or fines due on or after that date.