

1.1 Senator ..... moves to amend S.F. No. 3844 as follows:

1.2 Page 2, after line 6, insert:

1.3 "Sec. 3. Minnesota Statutes 2024, section 144G.09, subdivision 2, is amended to read:

1.4 Subd. 2. **Regulatory functions.** (a) The commissioner shall:

1.5 (1) license, survey, and monitor without advance notice assisted living facilities in  
1.6 accordance with this chapter and rules;

1.7 (2) survey every provisional licensee within one year of the provisional license issuance  
1.8 date subject to the provisional licensee providing assisted living services to residents;

1.9 (3) survey assisted living facility licensees at least once every two years;

1.10 (4) investigate complaints of assisted living facilities;

1.11 (5) issue correction orders and assess civil penalties under sections 144G.30 and 144G.31;

1.12 (6) take action as authorized in section 144G.20; ~~and~~

1.13 (7) approve or disapprove proposed increases in amounts charged for housing or assisted  
1.14 living services under sections 144G.19, subdivision 5, and 144G.40, subdivision 4; and

1.15 ~~(7)~~ (8) take other action reasonably required to accomplish the purposes of this chapter.

1.16 (b) The commissioner shall review blueprints for all new facility construction and must  
1.17 approve the plans before construction may be commenced.

1.18 (c) The commissioner shall provide on-site review of the construction to ensure that all  
1.19 physical environment standards are met before the facility license is complete.

1.20 Sec. 4. Minnesota Statutes 2025 Supplement, section 144G.19, subdivision 5, is amended  
1.21 to read:

1.22 Subd. 5. **Change of ownership; existing contracts.** (a) Following a change of ownership,  
1.23 the new licensee must honor the terms of an assisted living contract in effect at the time of  
1.24 the change of ownership until the end of the contract term. A new licensee that proposes to  
1.25 increase the amount charged for housing or assisted living services in an assisted living  
1.26 contract replacing a contract in effect at the time of the change of ownership must provide  
1.27 the commissioner with justification for and specific documentation supporting the proposed  
1.28 increase.

1.29 (b) The commissioner must review the justification and documentation provided under  
1.30 paragraph (a) and approve or disapprove the proposed increase. The commissioner may

2.1 request from the new licensee additional documentation or information the commissioner  
2.2 deems necessary to conduct the review. An assisted living facility must not implement a  
2.3 proposed increase described in paragraph (a) unless the commissioner approves the proposed  
2.4 increase."

2.5 Page 2, after line 26, insert:

2.6 "Sec. 6. Minnesota Statutes 2024, section 144G.40, is amended by adding a subdivision  
2.7 to read:

2.8 Subd. 4. **Increase in amount charged for housing or services.** (a) If an assisted living  
2.9 facility proposes to increase the amount charged for housing or assisted living services by  
2.10 an amount that exceeds the change in the Consumer Price Index for All Urban Consumers  
2.11 published by the federal Bureau of Labor Statistics, for the most recent 12-month period  
2.12 for which data is available, the assisted living facility must provide the commissioner with  
2.13 justification for and specific documentation supporting the proposed increase.

2.14 (b) The documentation required under paragraph (a) must include:

2.15 (1) data on operational costs, including but not limited to the cost of staffing, utilities,  
2.16 maintenance, and other day-to-day expenses necessary to operate the facility;

2.17 (2) data on the proposed imposition of any new fees, but is not limited to a raw food  
2.18 fee, community fee, pharmacy choice or coordination fee, hospice choice or coordination  
2.19 fee, or activities fee;

2.20 (3) the facility's balance sheet, including projected revenues and expenses for the next  
2.21 fiscal year;

2.22 (4) data on costs related to compliance with new regulatory requirements, including but  
2.23 not limited to health and safety requirements;

2.24 (5) data on capital improvements to, upgrades to, or expansion of the facility, including  
2.25 but not limited to building renovations or new construction;

2.26 (6) a comparison of the facility's costs and fees and the costs and fees of similar facilities  
2.27 in the region where the facility is located;

2.28 (7) data on whether the facility's residents have increased needs or are requesting new  
2.29 amenities; and

2.30 (8) the percentage of revenue devoted to administrative costs and the percentage of  
2.31 revenue devoted to marketing costs.

3.1 (c) The commissioner must review the justification and documentation provided under  
3.2 paragraph (a) and approve or disapprove the proposed increase. The commissioner may  
3.3 request from the facility additional documentation or information the commissioner deems  
3.4 necessary to conduct the review. An assisted living facility must not implement a proposed  
3.5 increase described in paragraph (a) unless the commissioner approves the proposed increase.

3.6 (d) If the commissioner approves the proposed increase, approval must be conditioned  
3.7 on the facility maintaining or improving the quality of care it provides, including but not  
3.8 limited to hiring additional staff, improving staff training, updating medical equipment, or  
3.9 upgrading physical environment elements of the facility."

3.10 Renumber the sections in sequence

3.11 Amend the title accordingly