

1.1 Senator moves to amend the delete-everything amendment (SCS4399A-3)
1.2 to S.F. No. 4399 as follows:

1.3 Page 46, after line 9, insert:

1.4 "Sec. 7. Minnesota Statutes 2022, section 256S.205, subdivision 5, is amended to read:

1.5 Subd. 5. **Rate adjustment; rate floor.** (a) Notwithstanding the 24-hour customized
1.6 living monthly service rate limits under section 256S.202, subdivision 2, and the component
1.7 service rates established under section 256S.201, subdivision 4, the commissioner must
1.8 establish a rate floor equal to \$119 per resident per day for 24-hour customized living
1.9 services provided to an elderly waiver participant in a designated disproportionate share
1.10 facility.

1.11 (b) The commissioner must apply the rate floor to the services described in paragraph
1.12 (a) provided during the rate year.

1.13 (c) The commissioner must adjust the rate floor by the same amount and at the same
1.14 time as any adjustment to the 24-hour customized living monthly service rate limits under
1.15 section 256S.202, subdivision 2.

1.16 ~~(d) The commissioner shall not implement the rate floor under this section if the~~
1.17 ~~customized living rates established under sections 256S.21 to 256S.215 will be implemented~~
1.18 ~~at 100 percent on January 1 of the year following an application year.~~

1.19 Sec. 8. Minnesota Statutes 2022, section 256S.205, is amended by adding a subdivision
1.20 to read:

1.21 Subd. 7. **Expiration.** This section expires on the first December 31 that occurs at least
1.22 23 months following the effective date of the repeal, expiration, or removal of all rate
1.23 phase-in provisions in section 256S.2101. The commissioner of human services shall inform
1.24 the revisor of statutes when this section expires."

1.25 Renumber the sections in sequence and correct the internal references

1.26 Amend the title accordingly