

Senator ..... moves to amend the delete-everything amendment (SCS2443A-5) to S.F. No. 2443 as follows:

Page 32, after line 19, insert:

"Sec. 12. Minnesota Statutes 2024, section 144A.08, is amended by adding a subdivision to read:

Subd. 1c. **Historic preservation.** A facility may request that the commissioner of health grant a variance or waiver from the physical plant and design requirements for nursing homes under this chapter and the relevant rules adopted under this chapter for the purposes of providing skilled nursing care in a building on the National Register of Historic Places. A request for a variance or waiver must be submitted to the commissioner in writing. The decision to grant or deny a variance or waiver must be based on the commissioner's evaluation of the following criteria:

(1) whether the variance or waiver will adversely affect the health, treatment, comfort, safety, or well-being of residents;

(2) whether the alternative measures to be taken, if any, are equivalent to or superior to those permitted under this chapter and relevant rules adopted under this chapter; and

(3) whether compliance with the existing or alternative equivalent requirements would impose an undue burden on the facility's efforts to preserve the historical integrity of the building while providing skilled nursing care in the building."

Page 39, after line 25, insert:

"Sec. 28. Minnesota Statutes 2024, section 144G.45, is amended by adding a subdivision to read:

Subd. 8. **Historic preservation.** A facility may request that the commissioner of health grant a variance or waiver from the provisions of this section or section 144G.81, subdivision 5, and relevant rules adopted under this chapter for the purposes of providing housing and assisted living services in a building on the National Register of Historic Places. A request for a variance or waiver must be submitted to the commissioner in writing. The decision to grant or deny a variance or waiver must be based on the commissioner's evaluation of the following criteria:

(1) whether the variance or waiver will adversely affect the health, treatment, comfort, safety, or well-being of residents;

2.1 (2) whether the alternative measures to be taken, if any, are equivalent to or superior to  
2.2 those permitted under this section, section 144G.81, and relevant rules adopted under this  
2.3 chapter; and

2.4 (3) whether compliance with the existing or alternative equivalent requirements would  
2.5 impose an undue burden on the facility's efforts to preserve the historical integrity of the  
2.6 building while providing housing and assisted living services in the building."

2.7 Page 45, after line 6, insert:

2.8 "Sec. 38. Minnesota Statutes 2024, section 144G.81, subdivision 5, is amended to read:

2.9 Subd. 5. **Variance or waiver.** A facility may request under section 144G.45, subdivision  
2.10 7 or 8, that the commissioner grant a variance or waiver from the provisions of this section,  
2.11 except subdivision 4."

2.12 Renumber the sections in sequence and correct the internal references