

1.1 Sec. .... Minnesota Statutes 2017 Supplement, section 144A.10, subdivision 4, is amended  
1.2 to read:

1.3 Subd. 4. **Correction orders.** Whenever a duly authorized representative of the  
1.4 commissioner of health finds upon inspection of a nursing home, that the facility or a  
1.5 controlling person or an employee of the facility is not in compliance with sections 144.411  
1.6 to 144.417, 144.651, 144.6503, 144A.01 to 144A.155, or 626.557 or the rules promulgated  
1.7 thereunder, a correction order shall be issued to the facility. The correction order shall state  
1.8 the deficiency, cite the specific rule or statute violated, state the suggested method of  
1.9 correction, and ~~specify~~ recommend the time allowed for correction. Upon receipt of a  
1.10 correction order, a facility shall develop and submit to the commissioner a corrective action  
1.11 plan specifying the steps the facility will take to correct the violation and to prevent such  
1.12 violations in the future, how the facility will monitor its compliance with the corrective  
1.13 action plan, and when the facility plans to complete the steps in the corrective action plan.  
1.14 The commissioner shall monitor the facility's compliance with the corrective action plan.  
1.15 If the commissioner finds that the nursing home had uncorrected or repeated violations  
1.16 which create a risk to resident care, safety, or rights, the commissioner shall notify the  
1.17 commissioner of human services.

1.18 Sec. .... Minnesota Statutes 2016, section 144A.474, subdivision 8, is amended to read:

1.19 Subd. 8. **Correction orders.** (a) A correction order may be issued whenever the  
1.20 commissioner finds upon survey or during a complaint investigation that a home care  
1.21 provider, a managerial official, or an employee of the provider is not in compliance with  
1.22 sections 144A.43 to 144A.482. The correction order shall cite the specific statute and  
1.23 document areas of noncompliance and the time allowed for correction.

1.24 (b) The commissioner shall mail copies of any correction order to the last known address  
1.25 of the home care provider, or electronically scan the correction order and e-mail it to the  
1.26 last known home care provider e-mail address, within 30 calendar days after the survey exit  
1.27 date. A copy of each correction order and copies of any documentation supplied to the  
1.28 commissioner shall be kept on file by the home care provider, and public documents shall  
1.29 be made available for viewing by any person upon request. Copies may be kept electronically.

1.30 (c) By the correction order date, the home care provider must ~~document in the provider's~~  
1.31 ~~records any action taken to comply with the correction order. The commissioner may request~~  
1.32 ~~a copy of this documentation and the home care provider's action to respond to the correction~~  
1.33 ~~order in future surveys, upon a complaint investigation, and as otherwise needed~~ develop  
1.34 and submit to the commissioner a corrective action plan specifying the steps the facility

2.1 will take to comply with the correction order and how to prevent noncompliance in the  
2.2 future, how the provider will monitor its compliance with the corrective action plan, and  
2.3 when the provider plans to complete the steps in the corrective action plan. The commissioner  
2.4 shall monitor the provider's compliance with the corrective action plan.

2.5 Sec. .... **REPORT AND RECOMMENDATIONS; IMMEDIATE PENALTIES FOR**  
2.6 **SERIOUS VIOLATIONS OF STATE LAW.**

2.7 The commissioner of health shall develop a proposal and draft legislation to allow  
2.8 immediate penalties to be imposed on long-term care facilities and providers for serious  
2.9 violations of state law. The proposal and draft legislation must address what constitutes a  
2.10 serious violation of state law and appropriate penalties for each category of serious violation.  
2.11 The commissioner shall develop this proposal in consultation with representatives of  
2.12 long-term care facilities, representatives of home care providers, and elder justice advocates.  
2.13 The proposal and draft legislation must be submitted to the chairs and ranking minority  
2.14 members of the legislative committees with jurisdiction over long-term care policy and  
2.15 finance by January 15, 2019.