

1.1 moves to amend H.F. No. 1477 as follows:

1.2 Page 1, after line 5, insert:

1.3 "Sec. Minnesota Statutes 2024, section 144G.15, is amended to read:

1.4 **144G.15 CONSIDERATION OF APPLICATIONS.**

1.5 (a) Before issuing a provisional license or license or renewing a license, the commissioner
1.6 shall consider an applicant's compliance history in providing care in this state or any other
1.7 state in a facility that provides care to children, the elderly, ill individuals, or individuals
1.8 with disabilities.

1.9 (b) The applicant's compliance history shall include repeat violation, rule violations, and
1.10 any license or certification involuntarily suspended or terminated during an enforcement
1.11 process.

1.12 (c) The commissioner may deny, revoke, suspend, restrict, or refuse to renew the license
1.13 or impose conditions if:

1.14 (1) the applicant fails to provide complete and accurate information on the application
1.15 and the commissioner concludes that the missing or corrected information is needed to
1.16 determine if a license shall be granted;

1.17 (2) the applicant, knowingly or with reason to know, made a false statement of a material
1.18 fact in an application for the license or any data attached to the application or in any matter
1.19 under investigation by the department;

1.20 (3) the applicant refused to allow agents of the commissioner to inspect its books, records,
1.21 and files related to the license application, or any portion of the premises;

1.22 (4) the applicant willfully prevented, interfered with, or attempted to impede in any way:

1.23 (i) the work of any authorized representative of the commissioner, the ombudsman for

2.1 long-term care, or the ombudsman for mental health and developmental disabilities; or (ii)
2.2 the duties of the commissioner, local law enforcement, city or county attorneys, adult
2.3 protection, county case managers, or other local government personnel;

2.4 (5) the applicant, owner, controlling individual, managerial official, or assisted living
2.5 director for the facility has a history of noncompliance with federal or state regulations that
2.6 were detrimental to the health, welfare, or safety of a resident or a client; or

2.7 (6) the applicant violates any requirement in this chapter.

2.8 (d) If a license is denied, the applicant has the reconsideration rights available under
2.9 section 144G.16, subdivision 4.

2.10 (e) In determining whether to grant a license, the commissioner must specifically consider
2.11 the population, size, land use plan, availability of community services, and number and size
2.12 of existing assisted living facilities and residential programs licensed under chapter 245A
2.13 in the town, municipality, or county in which the applicant seeks to operate an assisted
2.14 living facility. The commissioner must not grant an initial license to any assisted living
2.15 facility with a licensed resident capacity of six or fewer if the assisted living facility will
2.16 be within 1,320 feet of an existing assisted living facility with a licensed resident capacity
2.17 of six or fewer or a residential program licensed under chapter 245A serving six or fewer
2.18 residents.

2.19 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to licenses
2.20 issued on or after that date.

2.21 Sec. Minnesota Statutes 2024, section 144G.30, is amended by adding a subdivision
2.22 to read:

2.23 Subd. 9. **Complaints forwarded by local governments.** (a) Notwithstanding any other
2.24 remedies available, a town, home rule charter or statutory city, or county may file a complaint
2.25 with the commissioner alleging an assisted living facility's violation of local laws, regulations,
2.26 standards, ordinances, and codes for fire safety, building, and zoning requirements.

2.27 (b) Upon receipt of a complaint from a town, home rule charter or statutory city, or
2.28 county, the commissioner shall initiate the appropriate inquiry within ten working days."

2.29 Page 2, after line 17, insert:

3.1 "Sec. Minnesota Statutes 2024, section 245A.11, is amended by adding a subdivision
3.2 to read:

3.3 Subd. 3a. **Complaints forwarded by local government.** (a) Notwithstanding any other
3.4 remedies available, a town, home rule charter or statutory city, or county may file a complaint
3.5 with the commissioner alleging a residential program's violation of local laws, regulations,
3.6 standards, ordinances, and codes for fire safety, building, and zoning requirements.

3.7 (b) Upon receipt of a complaint from a town, home rule charter or statutory city, or
3.8 county, the commissioner shall initiate the appropriate inquiry within ten working days.

3.9 Sec. Minnesota Statutes 2024, section 245A.11, subdivision 4, is amended to read:

3.10 Subd. 4. **Location of residential programs.** In determining whether to grant a license,
3.11 the commissioner shall specifically consider the population, size, land use plan, availability
3.12 of community services, and the number and size of existing licensed residential programs
3.13 in the town, municipality, or county in which the applicant seeks to operate a residential
3.14 program. The commissioner shall not grant an initial license to any residential program if
3.15 the residential program will be within 1,320 feet of an existing residential program unless
3.16 one of the following conditions apply: (1) the existing residential program is located in a
3.17 hospital licensed by the commissioner of health; (2) the town, municipality, or county zoning
3.18 authority grants the residential program a conditional use or special use permit; or (3) the
3.19 program serves six or fewer persons and is not located in a city of the first class; ~~or (4) the~~
3.20 ~~program is foster care, or a community residential setting as defined under section 245D.02,~~
3.21 ~~subdivision 4a.~~

3.22 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to licenses
3.23 issued on or after that date."

3.24 Renumber the sections in sequence and correct the internal references

3.25 Amend the title accordingly