

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 3474

(SENATE AUTHORS: FRANZEN)

DATE	D-PG	OFFICIAL STATUS
04/06/2016	5706	Introduction and first reading Referred to Health, Human Services and Housing

A bill for an act
relating to health care; modifying spousal anti-impo-
verishment provisions;
amending Minnesota Statutes 2014, section 256B.059, by adding a subdivision.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 256B.059, is amended by adding a
subdivision to read:

Subd. 6. Home and community-based waived services. (a) For an individual
eligible for home and community-based waived services under section 256B.092 or
256B.49 and whose eligibility is based on the need for an institutional level of care, it
shall be considered an undue hardship if the individual's eligibility for services would be
terminated because of excess spousal assets in the form of designated retirement accounts
or college savings accounts for the couple's children under 25 years of age, and there shall
not be a cause of action as to the individual's spouse.

(b) This section applies to individuals who are determined eligible for home and
community-based waived services under section 256B.092 or 256B.49 based on the
need for an institutional level of care on or before May 31, 2016.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. CONTINGENT EFFECTIVE DATE.

If the Centers for Medicare and Medicaid Services issues a disapproval of this
act, this act shall be considered repealed 30 days after the disapproval is received. The
commissioner of human services shall notify the revisor of statutes if the Centers for
Medicare and Medicaid Services issues a disapproval of this act.