

A bill for an act

relating to human services; providing long-term care provider rate adjustments; providing funding for long-term care provider rate adjustments by modifying individual income tax rates; amending Minnesota Statutes 2006, section 290.06, subdivisions 2c, 2d; Minnesota Statutes 2007 Supplement, sections 256B.434, subdivision 19; 256B.5012, subdivision 7; Laws 2007, chapter 147, article 7, section 71.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2007 Supplement, section 256B.434, subdivision 19, is amended to read:

Subd. 19. **Nursing facility rate increases beginning October 1, 2007, and October 1, 2008.** (a) For the rate year beginning October 1, 2007, the commissioner shall make available to each nursing facility reimbursed under this section operating payment rate adjustments equal to 1.87 percent of the operating payment rates in effect on September 30, 2007. For the rate year beginning October 1, 2008, the commissioner shall make available to each nursing facility reimbursed under this section, operating payment rate adjustments equal to 5.0 percent of the operating payment rates in effect on September 30, 2008. The rate increases effective on October 1, 2008, shall be applied after the October 1, 2008, phase-in of rebased operating payment rates under section 256B.441, subdivision 55.

(b) Seventy-five percent of the money resulting from the rate adjustment under paragraph (a) must be used for increases in compensation-related costs for employees directly employed by the nursing facility on or after the effective date of the rate adjustment, except:

(1) the administrator;

(2) persons employed in the central office of a corporation that has an ownership interest in the nursing facility or exercises control over the nursing facility; and

(3) persons paid by the nursing facility under a management contract.

(c) Two-thirds of the money available under paragraph (b) must be used for wage increases for all employees directly employed by the nursing facility on or after the effective date of the rate adjustment, except those listed in paragraph (b), clauses (1) to (3). The wage adjustment that employees receive under this paragraph must be paid as an equal hourly percentage wage increase for all eligible employees. All wage increases under this paragraph must be effective on the same date. Only costs associated with the portion of the equal hourly percentage wage increase that goes to all employees shall qualify under this paragraph. Costs associated with wage increases in excess of the amount of the equal hourly percentage wage increase provided to all employees shall be allowed only for meeting the requirements in paragraph (b). This paragraph shall not apply to employees covered by a collective bargaining agreement.

(d) The commissioner shall allow as compensation-related costs all costs for:

(1) wages and salaries;

(2) FICA taxes, Medicare taxes, state and federal unemployment taxes, and workers' compensation;

(3) the employer's share of health and dental insurance, life insurance, disability insurance, long-term care insurance, uniform allowance, and pensions; and

(4) other benefits provided, subject to the approval of the commissioner.

(e) The portion of the rate adjustment under paragraph (a) that is not subject to the requirements in paragraphs (b) and (c) shall be provided to nursing facilities effective October 1, 2007, or October 1, 2008, as applicable.

(f) Nursing facilities may apply for the portion of the rate adjustment under paragraph (a) that is subject to the requirements in paragraphs (b) and (c). The application must be submitted to the commissioner within six months of the effective date of the rate adjustment, and the nursing facility must provide additional information required by the commissioner within nine months of the effective date of the rate adjustment. The commissioner must respond to all applications within three weeks of receipt. The commissioner may waive the deadlines in this paragraph under extraordinary circumstances, to be determined at the sole discretion of the commissioner. The application must contain:

(1) an estimate of the amounts of money that must be used as specified in paragraphs (b) and (c);

(2) a detailed distribution plan specifying the allowable compensation-related and wage increases the nursing facility will implement to use the funds available in clause (1);

(3) a description of how the nursing facility will notify eligible employees of the contents of the approved application, which must provide for giving each eligible employee a copy of the approved application, excluding the information required in clause (1), or posting a copy of the approved application, excluding the information required in clause (1), for a period of at least six weeks in an area of the nursing facility to which all eligible employees have access; and

(4) instructions for employees who believe they have not received the compensation-related or wage increases specified in clause (2), as approved by the commissioner, and which must include a mailing address, e-mail address, and the telephone number that may be used by the employee to contact the commissioner or the commissioner's representative.

(g) The commissioner shall ensure that cost increases in distribution plans under paragraph (f), clause (2), that may be included in approved applications, comply with the following requirements:

(1) costs to be incurred during the applicable rate year resulting from wage and salary increases effective after October 1, 2006, and prior to the first day of the nursing facility's payroll period that includes October 1, ~~2007~~ of each year, shall be allowed if they were not used in the prior year's application;

(2) a portion of the costs resulting from tenure-related wage or salary increases may be considered to be allowable wage increases, according to formulas that the commissioner shall provide, where employee retention is above the average statewide rate of retention of direct care employees;

(3) the annualized amount of increases in costs for the employer's share of health and dental insurance, life insurance, disability insurance, and workers' compensation shall be allowable compensation-related increases if they are effective on or after April 1, ~~2007~~, of the year in which the rate adjustments are effective and prior to April 1, ~~2008~~ of the following year; and

(4) for nursing facilities in which employees are represented by an exclusive bargaining representative, the commissioner shall approve the application only upon receipt of a letter of acceptance of the distribution plan, in regard to members of the bargaining unit, signed by the exclusive bargaining agent and dated after May 25, 2007. Upon receipt of the letter of acceptance, the commissioner shall deem all requirements of this section as having been met in regard to the members of the bargaining unit.

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(h) The commissioner shall review applications received under paragraph (f) and shall provide the portion of the rate adjustment under paragraphs (b) and (c) if the requirements of this subdivision have been met. The rate adjustment shall be effective October 1. Notwithstanding paragraph (a), if the approved application distributes less money than is available, the amount of the rate adjustment shall be reduced so that the amount of money made available is equal to the amount to be distributed.

Sec. 2. Minnesota Statutes 2007 Supplement, section 256B.5012, subdivision 7, is amended to read:

Subd. 7. ICF/MR rate increases effective October 1, 2007, and October 1, 2008.

(a) For the rate year beginning October 1, 2007, the commissioner shall make available to each facility reimbursed under this section operating payment rate adjustments equal to 2.0 percent of the operating payment rates in effect on September 30, 2007. For the rate year beginning July 1, 2008, the commissioner shall make available to each facility reimbursed under this section operating payment rate adjustments equal to ~~2.0~~ 7.0 percent of the operating payment rates in effect on June 30, 2008. For each facility, the commissioner shall make available an adjustment, based on occupied beds, using the percentage specified in this paragraph multiplied by the total payment rate, including the variable rate but excluding the property-related payment rate, in effect on the preceding day. The total payment rate shall include the adjustment provided in section 256B.501, subdivision 12. A facility whose payment rates are governed by closure agreements, receivership agreements, or Minnesota Rules, part 9553.0075, is not eligible for an adjustment otherwise granted under this subdivision.

(b) Seventy-five percent of the money resulting from the rate adjustments under paragraph (a) must be used for increases in compensation-related costs for employees directly employed by the facility on or after the effective date of the rate adjustments, except:

(1) the administrator;

(2) persons employed in the central office of a corporation that has an ownership interest in the facility or exercises control over the facility; and

(3) persons paid by the facility under a management contract.

(c) Two-thirds of the money available under paragraph (b) must be used for wage increases for all employees directly employed by the facility on or after the effective date of the rate adjustments, except those listed in paragraph (b), clauses (1) to (3). The wage adjustment that employees receive under this paragraph must be paid as an equal hourly percentage wage increase for all eligible employees. All wage increases under this

paragraph must be effective on the same date. Only costs associated with the portion of the equal hourly percentage wage increase that goes to all employees shall qualify under this paragraph. Costs associated with wage increases in excess of the amount of the equal hourly percentage wage increase provided to all employees shall be allowed only for meeting the requirements in paragraph (b). This paragraph shall not apply to employees covered by a collective bargaining agreement.

(d) The commissioner shall allow as compensation-related costs all costs for:

(1) wages and salaries;

(2) FICA taxes, Medicare taxes, state and federal unemployment taxes, and workers' compensation;

(3) the employer's share of health and dental insurance, life insurance, disability insurance, long-term care insurance, uniform allowance, and pensions; and

(4) other benefits provided, subject to the approval of the commissioner.

(e) The portion of the rate adjustments under paragraph (a) that is not subject to the requirements in paragraphs (b) and (c) shall be provided to facilities effective October 1 of each year.

(f) Facilities may apply for the portion of the rate adjustments under paragraph (a) that is subject to the requirements in paragraphs (b) and (c). The application must be submitted to the commissioner within six months of the effective date of the rate adjustments, and the facility must provide additional information required by the commissioner within nine months of the effective date of the rate adjustments. The commissioner must respond to all applications within three weeks of receipt. The commissioner may waive the deadlines in this paragraph under extraordinary circumstances, to be determined at the sole discretion of the commissioner. The application must contain:

(1) an estimate of the amounts of money that must be used as specified in paragraphs (b) and (c);

(2) a detailed distribution plan specifying the allowable compensation-related and wage increases the facility will implement to use the funds available in clause (1);

(3) a description of how the facility will notify eligible employees of the contents of the approved application, which must provide for giving each eligible employee a copy of the approved application, excluding the information required in clause (1), or posting a copy of the approved application, excluding the information required in clause (1), for a period of at least six weeks in an area of the facility to which all eligible employees have access; and

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(4) instructions for employees who believe they have not received the compensation-related or wage increases specified in clause (2), as approved by the commissioner, and which must include a mailing address, e-mail address, and the telephone number that may be used by the employee to contact the commissioner or the commissioner's representative.

(g) The commissioner shall ensure that cost increases in distribution plans under paragraph (f), clause (2), that may be included in approved applications, comply with requirements in clauses (1) to (4):

(1) costs to be incurred during the applicable rate year resulting from wage and salary increases effective after October 1, 2006, and prior to the first day of the facility's payroll period that includes October 1 of each year shall be allowed if they were not used in the prior year's application and they meet the requirements of paragraphs (b) and (c);

(2) a portion of the costs resulting from tenure-related wage or salary increases may be considered to be allowable wage increases, according to formulas that the commissioner shall provide, where employee retention is above the average statewide rate of retention of direct care employees;

(3) the annualized amount of increases in costs for the employer's share of health and dental insurance, life insurance, disability insurance, and workers' compensation shall be allowable compensation-related increases if they are effective on or after April 1 of the year in which the rate adjustments are effective and prior to April 1 of the following year; and

(4) for facilities in which employees are represented by an exclusive bargaining representative, the commissioner shall approve the application only upon receipt of a letter of acceptance of the distribution plan, as regards members of the bargaining unit, signed by the exclusive bargaining agent and dated after May 25, 2007. Upon receipt of the letter of acceptance, the commissioner shall deem all requirements of this section as having been met in regard to the members of the bargaining unit.

(h) The commissioner shall review applications received under paragraph (f) and shall provide the portion of the rate adjustments under paragraphs (b) and (c) if the requirements of this subdivision have been met. The rate adjustments shall be effective October 1 of each year. Notwithstanding paragraph (a), if the approved application distributes less money than is available, the amount of the rate adjustment shall be reduced so that the amount of money made available is equal to the amount to be distributed.

Sec. 3. Minnesota Statutes 2006, section 290.06, subdivision 2c, is amended to read:

Subd. 2c. **Schedules of rates for individuals, estates, and trusts.** (a) The income taxes imposed by this chapter upon married individuals filing joint returns and surviving spouses as defined in section 2(a) of the Internal Revenue Code must be computed by applying to their taxable net income the following schedule of rates:

- (1) on the first ~~\$25,680~~ \$31,860, 5.35 percent;
- (2) on all over ~~\$25,680~~ \$31,860, but not over ~~\$102,030~~ \$126,580, 7.05 percent;
- (3) on all over ~~\$102,030~~ \$126,580, but not over \$....., 7.85 percent;
- (4) on all over \$....., percent.

Married individuals filing separate returns, estates, and trusts must compute their income tax by applying the above rates to their taxable income, except that the income brackets will be one-half of the above amounts.

(b) The income taxes imposed by this chapter upon unmarried individuals must be computed by applying to taxable net income the following schedule of rates:

- (1) on the first ~~\$17,570~~ \$21,800, 5.35 percent;
- (2) on all over ~~\$17,570~~ \$21,800, but not over ~~\$57,710~~ \$71,590, 7.05 percent;
- (3) on all over ~~\$57,710~~ \$71,590, but not over \$....., 7.85 percent;
- (4) on all over \$....., percent.

(c) The income taxes imposed by this chapter upon unmarried individuals qualifying as a head of household as defined in section 2(b) of the Internal Revenue Code must be computed by applying to taxable net income the following schedule of rates:

- (1) on the first ~~\$21,630~~ \$26,830, 5.35 percent;
- (2) on all over ~~\$21,630~~ \$26,830, but not over ~~\$86,910~~ \$107,820, 7.05 percent;
- (3) on all over ~~\$86,910~~ \$107,820, but not over \$....., 7.85 percent;
- (4) on all over \$....., percent.

(d) In lieu of a tax computed according to the rates set forth in this subdivision, the tax of any individual taxpayer whose taxable net income for the taxable year is less than an amount determined by the commissioner must be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision, provided that the commissioner may disregard a fractional part of a dollar unless it amounts to 50 cents or more, in which case it may be increased to \$1.

(e) An individual who is not a Minnesota resident for the entire year must compute the individual's Minnesota income tax as provided in this subdivision. After the application of the nonrefundable credits provided in this chapter, the tax liability must then be multiplied by a fraction in which:

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(1) the numerator is the individual's Minnesota source federal adjusted gross income as defined in section 62 of the Internal Revenue Code and increased by the additions required under section 290.01, subdivision 19a, clauses (1), (5), (6), (7), (8), and (9), and reduced by the Minnesota assignable portion of the subtraction for United States government interest under section 290.01, subdivision 19b, clause (1), and the subtractions under section 290.01, subdivision 19b, clauses (9), (10), (14), (15), and (16), after applying the allocation and assignability provisions of section 290.081, clause (a), or 290.17; and

(2) the denominator is the individual's federal adjusted gross income as defined in section 62 of the Internal Revenue Code of 1986, increased by the amounts specified in section 290.01, subdivision 19a, clauses (1), (5), (6), (7), (8), and (9), and reduced by the amounts specified in section 290.01, subdivision 19b, clauses (1), (9), (10), (14), (15), and (16).

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2007, except that for taxable years beginning after December 31, 2007, and before January 1, 2009, the percent rate is reduced to percent, and for taxable years beginning after December 31, 2008, and before January 1, 2011, the percent rate is reduced to percent.

Sec. 4. Minnesota Statutes 2006, section 290.06, subdivision 2d, is amended to read:

Subd. 2d. **Inflation adjustment of brackets.** (a) For taxable years beginning after December 31, ~~2000~~ 2008, the minimum and maximum dollar amounts for each rate bracket for which a tax is imposed in subdivision 2c shall be adjusted for inflation by the percentage determined under paragraph (b). For the purpose of making the adjustment as provided in this subdivision all of the rate brackets provided in subdivision 2c shall be the rate brackets as they existed for taxable years beginning after December 31, ~~1999~~ 2007, and before January 1, ~~2001~~ 2009. The rate applicable to any rate bracket must not be changed. The dollar amounts setting forth the tax shall be adjusted to reflect the changes in the rate brackets. The rate brackets as adjusted must be rounded to the nearest \$10 amount. If the rate bracket ends in \$5, it must be rounded up to the nearest \$10 amount.

(b) The commissioner shall adjust the rate brackets and by the percentage determined pursuant to the provisions of section 1(f) of the Internal Revenue Code, except that in section 1(f)(3)(B) the word "1999" shall be substituted for the word "1992." For ~~2001~~ 2009, the commissioner shall then determine the percent change from the 12 months ending on August 31, ~~1999~~ 2007, to the 12 months ending on August 31, ~~2000~~ 2008, and in each subsequent year, from the 12 months ending on August 31, ~~1999~~ 2007, to the 12 months ending on August 31 of the year preceding the taxable year. The determination of

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9.1 the commissioner pursuant to this subdivision shall not be considered a "rule" and shall
9.2 not be subject to the Administrative Procedure Act contained in chapter 14.

9.3 No later than December 15 of each year, the commissioner shall announce the
9.4 specific percentage that will be used to adjust the tax rate brackets.

9.5 **EFFECTIVE DATE.** This section is effective for taxable years beginning after
9.6 December 31, 2007.

9.7 Sec. 5. Laws 2007, chapter 147, article 7, section 71, is amended to read:

9.8 Sec. 71. **PROVIDER RATE INCREASES.**

9.9 (a) The commissioner of human services shall increase allocations, reimbursement
9.10 rates, or rate limits, as applicable, by 2.0 percent beginning October 1, 2007, and by ~~2.0~~
9.11 7.0 percent beginning July 1, 2008, effective for services rendered on or after those dates.
9.12 County contracts for services specified in this section must be amended to pass through
9.13 these rate adjustments within 60 days of the effective date of the increase and must be
9.14 retroactive from the effective date of the rate adjustment.

9.15 (b) The annual rate increases described in this section must be provided to:

9.16 (1) home and community-based waived services for persons with developmental
9.17 disabilities or related conditions, including consumer-directed community supports, under
9.18 Minnesota Statutes, section 256B.501;

9.19 (2) home and community-based waived services for the elderly, including
9.20 consumer-directed community supports, under Minnesota Statutes, section 256B.0915;

9.21 (3) waived services under community alternatives for disabled individuals,
9.22 including consumer-directed community supports, under Minnesota Statutes, section
9.23 256B.49;

9.24 (4) community alternative care waived services, including consumer-directed
9.25 community supports, under Minnesota Statutes, section 256B.49;

9.26 (5) traumatic brain injury waived services, including consumer-directed
9.27 community supports, under Minnesota Statutes, section 256B.49;

9.28 (6) nursing services and home health services under Minnesota Statutes, section
9.29 256B.0625, subdivision 6a;

9.30 (7) personal care services and qualified professional supervision of personal care
9.31 services under Minnesota Statutes, section 256B.0625, subdivision 19a;

9.32 (8) private duty nursing services under Minnesota Statutes, section 256B.0625,
9.33 subdivision 7;

9.34 (9) day training and habilitation services for adults with developmental disabilities
9.35 or related conditions under Minnesota Statutes, sections 252.40 to 252.46, including the

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10.1 additional cost of rate adjustments on day training and habilitation services, provided as a
10.2 social service under Minnesota Statutes, section 256M.60;

10.3 (10) alternative care services under Minnesota Statutes, section 256B.0913;

10.4 (11) adult residential program grants under Minnesota Statutes, section 245.73;

10.5 (12) children's community-based mental health services grants and adult community
10.6 support and case management services grants under Minnesota Rules, parts 9535.1700
10.7 to 9535.1760;

10.8 (13) the group residential housing supplementary service rate under Minnesota
10.9 Statutes, section 256I.05, subdivision 1a;

10.10 (14) adult mental health integrated fund grants under Minnesota Statutes, section
10.11 245.4661;

10.12 (15) semi-independent living services (SILS) under Minnesota Statutes, section
10.13 252.275, including SILS funding under county social services grants formerly funded
10.14 under Minnesota Statutes, chapter 256I;

10.15 (16) community support services for deaf and hard-of-hearing adults with mental
10.16 illness who use or wish to use sign language as their primary means of communication
10.17 under Minnesota Statutes, section 256.01, subdivision 2; and deaf and hard-of-hearing
10.18 grants under Minnesota Statutes, sections 256C.233 and 256C.25; Laws 1985, chapter 9,
10.19 article 1; and Laws 1997, First Special Session chapter 5, section 20;

10.20 (17) living skills training programs for persons with intractable epilepsy who need
10.21 assistance in the transition to independent living under Laws 1988, chapter 689;

10.22 (18) physical therapy services under sections 256B.0625, subdivision 8, and
10.23 256D.03, subdivision 4;

10.24 (19) occupational therapy services under sections 256B.0625, subdivision 8a, and
10.25 256D.03, subdivision 4;

10.26 (20) speech-language therapy services under section 256D.03, subdivision 4, and
10.27 Minnesota Rules, part 9505.0390;

10.28 (21) respiratory therapy services under section 256D.03, subdivision 4, and
10.29 Minnesota Rules, part 9505.0295;

10.30 (22) adult rehabilitative mental health services under section 256B.0623;

10.31 (23) children's therapeutic services and support services under section 256B.0943;

10.32 (24) tier I chemical health services under Minnesota Statutes, chapter 254B;

10.33 (25) consumer support grants under Minnesota Statutes, section 256.476;

10.34 (26) family support grants under Minnesota Statutes, section 252.32;

10.35 (27) grants for case management services to persons with HIV or AIDS under
10.36 Minnesota Statutes, section 256.01, subdivision 19; and

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11.1 (28) aging grants under Minnesota Statutes, sections 256.975 to 256.977, 256B.0917,
11.2 and 256B.0928.

11.3 (c) For services funded through Minnesota disability health options, the rate
11.4 increases under this section apply to all medical assistance payments, including former
11.5 group residential housing supplementary rates under Minnesota Statutes, chapter 256I.

11.6 (d) The commissioner may recoup payments made under this section from a provider
11.7 that does not comply with paragraphs (f) and (g).

11.8 (e) A managed care plan receiving state payments for the services in this section
11.9 must include these increases in their payments to providers on a prospective basis,
11.10 effective on January 1 following the effective date of the rate increase.

11.11 (f) Providers that receive a rate increase under this section shall use 75 percent of
11.12 the additional revenue to increase compensation-related costs for employees directly
11.13 employed by the program on or after the effective date of the rate adjustments, except:

11.14 (1) the administrator;

11.15 (2) persons employed in the central office of a corporation or entity that has an
11.16 ownership interest in the provider or exercises control over the provider; and

11.17 (3) persons paid by the provider under a management contract.

11.18 Compensation-related costs include: wages and salaries; FICA taxes, Medicare taxes,
11.19 state and federal unemployment taxes, and workers' compensation; and the employer's
11.20 share of health and dental insurance, life insurance, disability insurance, long-term care
11.21 insurance, uniform allowance, and pensions.

11.22 (g) Two-thirds of the money available under paragraph (f) must be used for wage
11.23 increases for all employees directly employed by the provider on or after the effective
11.24 date of the rate adjustments, except those listed in paragraph (f), clauses (1) to (3). The
11.25 wage adjustment that employees receive under this paragraph must be paid as an equal
11.26 hourly percentage wage increase for all eligible employees. All wage increases under this
11.27 paragraph must be effective on the same date. This paragraph shall not apply to employees
11.28 covered by a collective bargaining agreement.

11.29 (h) For public employees, the increase for wages and benefits for certain staff is
11.30 available and pay rates must be increased only to the extent that they comply with laws
11.31 governing public employees collective bargaining. Money received by a provider for pay
11.32 increases under this section may be used only for increases implemented on or after the
11.33 first day of the rate period in which the increase is available and must not be used for
11.34 increases implemented prior to that date.

11.35 (i) The commissioner shall amend state grant contracts that include direct
11.36 personnel-related grant expenditures to include the allocation for the portion of the contract

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12.1 that is employee compensation related. Grant contracts for compensation-related services
12.2 must be amended to pass through these adjustments within 60 days of the effective date of
12.3 the increase and must be retroactive to the effective date of the rate adjustment.

12.4 (j) The Board on Aging and its Area Agencies on Aging shall amend their
12.5 grants that include direct personnel-related grant expenditures to include the rate
12.6 adjustment for the portion of the grant that is employee compensation related. Grants
12.7 for compensation-related services must be amended to pass through these adjustments
12.8 within 60 days of the effective date of the increase and must be retroactive to the effective
12.9 date of the rate adjustment.

12.10 (k) The calendar year 2008 rate for vendors reimbursed under Minnesota Statutes,
12.11 chapter 254B, shall be at least 2.0 percent above the rate in effect on January 1, 2007.
12.12 The calendar year 2009 rate shall be at least ~~2.0~~ 7.0 percent above the rate in effect on
12.13 January 1, 2008.

12.14 (l) Providers that receive a rate adjustment under paragraph (a) that is subject to
12.15 paragraphs (f) and (g) shall provide to the commissioner, and those counties with whom
12.16 they have a contract, within six months after the effective date of each rate adjustment, a
12.17 letter, in a format specified by the commissioner, that provides assurances that the provider
12.18 has developed and implemented a compensation plan and complied with paragraphs (f)
12.19 and (g). The provider shall keep on file, and produce for the commissioner or county
12.20 upon request, its plan, which must specify:

12.21 (1) an estimate of the amounts of money that must be used as specified in paragraphs
12.22 (f) and (g); and

12.23 (2) a detailed distribution plan specifying the allowable compensation-related and
12.24 wage increases the provider will implement to use the funds available in clause (1).

12.25 (m) Within six months after the effective date of each rate adjustment, the provider
12.26 shall post this plan, excluding the information required in paragraph (l), clause (1), for
12.27 a period of at least six weeks in an area of the provider's operation to which all eligible
12.28 employees have access and provide instructions for employees who believe they have
12.29 not received the wage and other compensation-related increases specified in paragraph
12.30 (l), clause (2). Instructions must include a mailing address, e-mail address, and the
12.31 telephone number that may be used by the employee to contact the commissioner or the
12.32 commissioner's representative. Providers shall also make assurances to the commissioner
12.33 and counties with whom they have a contract that they have complied with the requirement
12.34 in this paragraph.