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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2442

04/06/2021 Authored by Franson
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; requiring the legislative auditor to examine patient discharges
1.3 from hospitals to nursing homes during the COVID-19 pandemic; requiring a
1.4 report; appropriating money.

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

1.6 Section 1. LEGISLATIVE AUDITOR EXAMINATION OF PATIENT DISCHARGES
1.7 FROM HOSPITALS TO NURSING HOMES.

1.8 Subdivision 1. Examination. The legislative auditor shall examine discharges of patients
1.9 from hospitals to nursing homes during the COVID-19 pandemic. In conducting this
1.10 examination, the legislative auditor shall review and analyze at least the following:

1.11 (1) the number of patients discharged from hospitals to nursing homes during the
1.12 COVID-19 pandemic;

1.13 (2) the effects of these patient discharges on the discharged patients and nursing home
1.14 residents, including the effect on the numbers of positive COVID-19 cases of nursing home
1.15 residents and employees whose cases may be traced to discharged patients and on the number
1.16 of hospitalizations and deaths of nursing home residents due to COVID-19 whose cases
1.17 may be traced to discharged patients;

1.18 (3) whether these patient discharges occurred in compliance with federal and state agency
1.19 rules or guidance in effect when the discharges took place, including rules or guidance on
1.20 testing patients for COVID-19 prior to and following discharge, quarantine of patients with
1.21 an unknown COVID-19 infection status at discharge, isolation of patients infected with
1.22 COVID-19 following discharge, and other COVID-19 infection control measures;

2.1 (4) for patient discharges that did not comply with federal and state agency rules or  
2.2 guidance, the effect of failing to comply with such rules or guidance, including the effect  
2.3 on the health of patients discharged to nursing homes and on the health of residents of  
2.4 nursing homes to which patients were discharged; and

2.5 (5) the impact of these patient discharges on reimbursement to hospitals and nursing  
2.6 homes for care provided to these patients in hospitals and in nursing homes.

2.7 Subd. 2. **Cooperation.** The commissioner of health, commissioner of human services,  
2.8 hospitals, and nursing homes must cooperate with this examination and must provide the  
2.9 legislative auditor with access to data and records necessary to perform this examination.

2.10 Subd. 3. **Report.** By January 15, 2022, the legislative auditor shall submit a written  
2.11 report to the legislature on the examination required by this section.

2.12 Sec. 2. **APPROPRIATION.**

2.13 \$..... in fiscal year 2022 is appropriated from the general fund to the legislative auditor  
2.14 for the examination of patient discharges from hospitals to nursing homes in section 1.