

CHAPTER 80D

CONTINUING CARE FACILITY DISCLOSURE AND
REHABILITATION ACT

80D.04 Disclosure statement.

80D.04 DISCLOSURE STATEMENT.*[For text of subds 1 to 5, see M.S.1988]*

Subd. 6. Waivers of liability prohibited. (a) A contract between a facility and resident or resident's representative must not include a waiver of facility liability for the health and safety or personal property of a resident while the resident is under the facility's supervision. A contract must not contain a provision that the facility knows or should know to be deceptive, unlawful, or unenforceable under state or federal law, nor any provision that requires or implies a lesser standard of care or responsibility than is required by law.

(b) This subdivision applies to new admissions to facilities on and after October 1, 1989. This subdivision does not require the execution of a new admission contract for a resident who was residing in a facility before August 1, 1989. However, provisions of the admission contract that are inconsistent with or in conflict with this subdivision are voidable at the sole option of the resident. Residents must be given notice of the changes in admission contracts according to this subdivision and must be given the opportunity to execute a new contract that conforms to this subdivision.

History: 1989 c 285 s 1