

256R.11 NONALLOWED COSTS.

Subdivision 1. **Generally.** (a) The following costs shall not be recognized as allowable:

- (1) political contributions;
 - (2) salaries or expenses of a lobbyist, as defined in section 10A.01, subdivision 21, for lobbying activities;
 - (3) advertising designed to encourage potential residents to select a particular nursing facility;
 - (4) assessments levied by the commissioner of health for uncorrected violations;
 - (5) legal and related expenses for unsuccessful challenges to decisions by governmental agencies;
 - (6) memberships in sports, health or similar social clubs or organizations;
 - (7) costs incurred for activities directly related to influencing employees with respect to unionization;
- and
- (8) costs of providing services which are billed separately from the nursing facility's payment rate or pursuant to Minnesota Rules, parts 9505.0170 to 9505.0475.

(b) The commissioner shall by rule exclude the costs of any other items not directly related to the provision of resident care.

Subd. 2. **Collective bargaining.** Costs incurred for any activities which are directed at or are intended to influence or dissuade employees in the exercise of their legal rights to freely engage in the process of selecting an exclusive representative for the purpose of collective bargaining with their employer shall not be allowable for purposes of setting payment rates.

History: 2016 c 99 art 1 s 11; 2016 c 158 art 1 s 123

NOTE: The rulemaking authority granted to the commissioner of human services in this section as added by Laws 2016, chapter 99, article 1, section 11, is a continuation of authority previously granted under Minnesota Statutes 2014, section 256B.47, subdivision 1.