

Exhibit L2

Proposed Modification to the Proposed Amendments to the Minnesota Department of Veterans Affairs (MDVA) proposed revisions of Minnesota Rules, Chapter 9050, relating to the Minnesota Veterans Homes.

OAH Docket No. 71-9054-37629
Revisor's ID Number R-4384

As Introduced by the MDVA at the rule hearing on January 31, 2022

Proposed modification:

Guide to tracking the modification to the proposed rule language to Minnesota Rule Chapter 9050 as published in the State Register:

The black text, including black underlines and black strikethrough font, shows the applicable rule provisions as published. Red underlined or strike through font shows new text or deleted text the MDVA is proposing to adopt that was not in the rule amendments as published.

9050.0040, Subp. 26b. **Commissioner.**

"Commissioner" means the commissioner of the Minnesota Department of Veterans Affairs ~~or another department employee who has delegated authority from the commissioner.~~

9050.0050, Subp. 3a. **Residency.**

For purposes of determining residency ~~under Minnesota Statutes, section 198.022, paragraphs (2) and (3),~~ a person is a permanent resident of Minnesota if:

- A. the person physically resides ~~currently resides in Minnesota and intends to reside in the state permanently~~ rents, owns, maintains, or occupies a residence in Minnesota suitable for year round use for at least 90 days prior to application to a veterans home operated by the commissioner; and
- B. the person does not rent, own or, maintain, or occupy a home in another state.

9050.0600, Subpart 1A **PROPERTY LIMITATIONS.**

A. If real or personal property is jointly owned by two or more persons, the facility financial staff shall assume that each person owns an equal share. When the

owners document greater or smaller ownership, the facility financial staff shall use that greater or smaller share to determine the equity value held by or on behalf of an applicant or resident. Other types of ownership, such as a life estate, must be evaluated ~~according to law~~ using the Internal Revenue Service actuarial tables under Section 7520 of the Internal Revenue Code pertaining to life estates ~~table in the Department of Human Services Minnesota Health Care Programs Eligibility Policy Manual.~~ Ownership of any property in joint tenancy shall be treated as ownership as tenants in common for purposes of its designation as available or excluded property.