Hospital and Nursing Home Meals

Sales Tax Fact Sheet 118

What’s new in 2017
Starting July 1, 2017, the only taxable food sold through vending machines is prepared food, soft drinks, candy, and dietary supplements.

For more information, see Fact Sheet 158, Vending Machines and Other-Coin Operated Devices.

When to charge tax?
When you bill patients or residents for their care and the bill includes charges for their meals, you should not charge sales tax.

If you operate a coffee shop, candy stand, or similar facility, charge sales tax on the taxable food items you sell there even if they are run by the institution or an outside organization or contractor.

Examples of taxable items
All sales of food in a cafeteria or snack bar are taxable. Examples of taxable items at candy shops include:
- candy and gum
- soft drinks
- heated foods (including “take-out” items)

Local sales taxes
If you are located or working in an area with a local tax, local sales or use tax may also be due. Local taxes are listed and explained in detail in Fact Sheet 164, Local Sales and Use Taxes.

Guest meals
Meals served to guests who are visiting residents are taxable. Charge tax on the meal if the guest pays for the meal or if the resident is billed for the meal as a separate charge.

Employee meals
Employees must pay sales tax on the amount charged to them for meals.

Vending machine sales
Starting July 1, 2017, the only taxable food sold through vending machines is prepared food, soft drinks, candy, and dietary supplements. Previously, all food sold through a vending machine was taxable.

Local sales taxes
If you are located or working in an area with a local tax, local sales or use tax may also be due. Local taxes are listed and explained in detail in Fact Sheet 164, Local Sales and Use Taxes.

Legal References
Minnesota Statutes 297A.61, subd. 4, Taxable food sold through vending machines
Minnesota Statutes 297A.67
subd. 4. Exempt meals at residential facilities
subd. 6. Other exempt meals

Other Fact Sheets
102A, Food and Food Ingredients
102B, Candy
102C, Soft Drinks and Other Beverages
102D, Prepared Food
102E, Dietary Supplements
142, Sales to Governments
146, Use Tax for Businesses
158, Vending Machines and Other-Coin Operated Devices
164, Local Sales and Use Taxes

This fact sheet is intended to help you become more familiar with Minnesota tax laws and your rights and responsibilities under the laws. Nothing in this fact sheet supersedes, alters, or otherwise changes any provisions of the tax law, administrative rules, court decisions, or revenue notices. Alternative formats available upon request.