

Human Services Reform Omnibus Budget Bill List –
S.F. 383 A-3 Delete Everything Amendment
April 6, 2021

Article 1: Economic Supports

| Section | S.F./Source | Description |
|-------------------|---|--|
| 1, 29-33 | S.F. 616 (Abeler) | Self-employment income modification for cash assistance program eligibility |
| 2 | New (Abeler) | CCAP Rate 25 th percentile of 2021 study |
| 3 | S.F. 982, as amended (Wiklund) | Governor proposal: Limits CCAP retroactivity to up to three months, or up to six months for families at application |
| | S.F. 695 (Murphy) Policy only | CCAP overpayment due to DHS error prohibition |
| 4-8 | S.F. 982, as amended (Wiklund) | Governor proposal: Align SNAP employment and training requirements with federal policy |
| 9 | S.F. 982, as amended (Wiklund) | Governor proposal: Community Action Agencies formula change |
| 10, 15 | S.F. 982, as amended (Wiklund) | Governor proposal: Allow tribal government access to food shelf programs; clarify emergency assistance funding authority |
| 11-12, 14, 16 | S.F. 761, as amended (Abeler) Policy only | Modifying public assistance application procedures to permit online and telephone applications |
| 13 | S.F. 761 (Abeler) Policy only | Late MFIP household form contact requirements |
| 17-28, 34, 36, 38 | S.F. 1333 (Hoffman) Policy only | Governor proposal: children and families services policy modifications -- Northstar care for children program |
| 33 | S.F. 982, as amended (Wiklund) | Governor proposal: DEED unemployment insurance income inclusion modification for secondary students |
| 35, 37, 39-57 | S.F. 1333 (Hoffman) Policy only | Governor proposal: children and family services policy modifications -- child safety & permanency, adoption modifications and clarifications |
| 58 | S.F. 1735 CE1 (Housley) | Expanded child care access for children with disabilities grants |
| 59 | S.F. 982 (Wiklund) S.F. 1333 (Hoffman) | Repealer (Gov. proposal: SNAP E&T alignment) Repealer (Gov. proposal: CFS policy modifications) |

Article 2: Child Protection

| Section | S.F./Source | Description |
|----------------------------------|--------------------------------|--|
| 1-3, 15-17, 19-20, 22-28, 35, 39 | S.F. 1063, as amended (Bigham) | Family First Implementation -- updates to existing provisions |
| 4-10 | S.F. 1063, as amended (Bigham) | Family First Implementation -- 245A definitions to incorporate Family First terminology |
| 12 | S.F. 1063, as amended (Bigham) | Family First implementation -- provider certification requirements for federal funding |
| 13-14, 21 | S.F. 1063, as amended (Bigham) | Family First implementation -- Lead tribal contracts |
| 18 | S.F. 941, as amended (Mathews) | Court-appointed counsel in child protection proceedings |
| 29-34 | S.F. 1063, as amended (Bigham) | Family First Implementation -- incorporation of 260D foster care settings |
| 36 | New | Direction to commissioner: collect data from counties regarding implementation of court-appointed counsel in child protection proceedings; report required |
| 37 | S.F. 1063, as amended (Bigham) | Direction to commissioner: consult with stakeholders to develop aftercare supports for transitioning children out of QRTP |
| 38 | S.F. 1063, as amended (Bigham) | Direction to commissioner: evaluate increased costs to license holders associated with confirming to Family First provider certification |

Article 3: Child Protection Policy

S.F. 1519, 1st Engrossment (Kiffmeyer)

| Section | S.F./Source | Description |
|----------------|------------------------|--|
| 1-2 | S.F. 1519-1, Article 3 | Modifies provisions related to the parent education program |
| 3, 14-19 | S.F. 1519-1, Article 2 | Removes interest charging requirements for child support judgments and specifies that interest does not accrue on such judgments |
| 4-13 | S.F. 1519-1, Article 1 | Modifies provisions related to child support guidelines, deductions, and calculations; child care support obligations; adjustments due to increased income; and reporting arrears to consumer reporting agencies |

Article 4: Behavioral Health

| Section | S.F./Source | Description |
|----------------|---|---|
| 1 | S.F. 933, as amended (Nelson) | Children’s mental health grants -- mood disorder and emerging mood disorder treatment |
| 2-4, 12 | S.F. 1572, as amended (Wiklund) Policy only | Certified community behavioral health clinic modifications |
| 5-7 | S.F. 456, as amended (Hoffman) Policy only | Chemical dependency provider ownership change administration modification; removes need assessment, implements 60-day notice requirement |
| 8 | S.F. 254 (Koran) Policy only | Alternate licensing inspections for accredited SUD providers |
| 9 | S.F. 982 (Wiklund) | Governor proposal: County share for child and adolescent behavioral health hospital |
| 10 | S.F. 1768 (Utke) | School-linked substance abuse grant program |
| 11 | S.F. 1292 (Ingebrigtsen) | Mental health crisis stabilization services statewide per diem MA rate |
| 13-16 | S.F. 709 (Nelson) | Intensive nonresidential rehabilitative services age eligibility, service standards, training requirement modifications |
| 17 | New (Abeler) | Compulsive gambling program monthly statement of fund deposits |
| 18 | S.F. 1350 A-1 (Utke) | Direction to commissioner: SUD paperwork reduction project |
| 19 | S.F. 873, as amended (Housley) | Direction to commissioner: sober housing program recommendations |
| 20 | S.F. 1753 (Abeler) | Direction to commissioner: evaluate with MDH DHS management of compulsive gambling programming and funding |
| 21 | S.F. 1330 A-3 (Hoffman) | SUD Treatment Pathfinder Companion Pilot Project |
| 22 | S.F. 933, amended (Nelson) | Clarifies authorized uses of First Episode of Psychosis Grant Program funds |
| 23 | S.F. 933, amended (Nelson) | Clarifies authorized uses of Emerging Mood Disorder Grant Program funds |
| 24 | S.F. 1572, as amended (Wiklund) Policy only | Revisor instruction: replace “excellence in mental health demonstration project” with “certified community behavioral health clinic services” in 245.735 section headnote |
| 25 | S.F. 456, as amended (Hoffman) Policy only | Repeals rules relating to assessment of need for chemical dependency treatment program |

Article 5: Disability Services and Continuing Care for Older Adults

| Section | S.F./Source | Description |
|----------------|--|---|
| 1 | S.F. 982, new language (Wiklund) | Governor proposal: require updated resident reimbursement classification assessments following release from isolation and cessation of therapy services |
| 2 | S.F. 2054 (Rosen) | On-going nursing facility moratorium exception funding. |
| 3, 16, 30, 59 | S.F. 982, as amended (Wiklund) | Governor proposals: Combine three governor’s proposals related to customized living provided under the BI and CADI waivers: closing the corporate foster care moratorium loophole that allows customized living services to be provided in unlicensed settings that are functionally equivalent to 4-person group homes; instituting acuity based customized living rates; and limiting to 24 the number of hours of daily support that may be entered to calculate the customized living service rate. |
| 4, 5, 15 | S.F. 982, as amended (Wiklund) | Governor proposal: Requiring background studies under 245C for EIDBI providers. |
| 6 | S.F. 858, as amended (Abeler) | Expanding the purposes of an existing grant program related to self-advocacy activities by people with developmental disabilities, including by establishing a sub-grant program related to outreach to individuals residing in institutional settings. |
| 7 | S.F. 188 (Abeler) | Establishing a new micro-grant program to provide funds to people with developmental disabilities to pursue innovative strategies to increase inclusion of people with disabilities into their communities. |
| 8-9 | S.F. 671 (Utke) | Provides an annual inflation adjustment to the medical assistance service rates for home health agency services and for home nursing services. |
| 10, 11, 38-39 | S.F. 1093 A-1 (Abeler amdt.) | Reduces from 12 to 10 the required hours of service a person needs in order the service to qualify for an enhanced PCA service rate or an enhanced CFSS service rate. |
| 12 | S.F. 1075 (Housley) Policy only | Allows an individual who was receiving HCBS waiver services prior to a temporary admission to an institutional setting of 121 days or less to return to the waiver without an assessment, provided all other eligibility criteria are met. |
| 13, 14, 63 | S.F. 1483 A-1 <i>modified</i> (Abeler amdt.) | For four fiscal years freezes at fiscal year 2019 levels the appropriation for reimbursement to counties and tribes for long-term care consultation |

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| | | services, and requires counties and tribes to collect data sufficient for the commissioner to develop and propose a capitated reimbursement method for these services to beginning in fiscal year 2026. |
| 17-27 | S.F. 1092, as amended (Hoffman) Policy only | Reframes and restates the home and community-based services (HCBS) policy statements enacted in 2020, and includes new language concerning standards for an informed decision-making process. The bill also repeals all the language enacted in 2020. |
| 28 | S.F. 1483 (Abeler) | Directs the commissioner to recoup the cost from a county that is found to violate the HCBS policy statement during an assessment for disability services. |
| 29, 31-33 | S.F. 1247 (Abeler) | Modifies the base wage for employment exploration services staff to equal the existing base wage for employment development services staff. Establishes DWRS rate for certain remote day services, and for certain remote unit-based services that are equal to comparable services provided in person. |
| 30, 53-54 | S.F. 1482 <i>modified</i> (Utke) | Establishes a rate floor for elderly waiver customized living services provided in assisted living facilities with a census of at least 80 percent elderly waiver participants. |
| 34-37 | S.F. 562 (Anderson) | Provides for a 5% rate increase for ICF/DDs as well as modifications to the rates and procedures related to variable rates and services during the day. |
| 40-41 | S.F. 982, as amended (Wiklund) | Governor Proposal: requires PCA and CFSS providers to submit cost data to the commissioner and requires the commissioner to analyze the cost data and make recommendations to the legislature related to reimbursement rates for these services. |
| 42, 45, 48 | S.F. 2172 (Nelson) | Creates exceptions to the moratorium on the development of new housing support beds eligible for a supplemental services rate for a provider in Olmsted County and a provider in Blue Earth County, and establishes a housing support supplemental services rate for these providers equal to the existing statutory maximums. |
| 43, 51 | S.F. 982, as amended (Wiklund) | Governor proposal: Allows tribes the option to access the cost-neutral housing support lump-sum allocations currently available only to counties. |

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| 44, 50, 52 | S.F. 319 A-1 <i>modified</i> (Utke) | Increases by \$100 the monthly room and board rate for housing supports provided to residents of certain supportive housing establishments where an individual has an approved habitability inspection and an individual lease agreement. Relocates existing statutory language related to absence days from housing support establishments and creates both a new extended absence day policy for individuals who are admitted to certain facilities for no more than 92 days in a calendar year and a new exception process for individuals who exceed the new extended limit. |
| 46 | S.F. 1079 (Utke) | Establishes a housing support supplemental services rate for a provider in Douglas County equal to the existing statutory maximums. |
| 47, 49 | S.F. 1278 (Miller) | Establishes a housing support supplemental services rate exceeding the statutory maximum for two providers, one in Winona County and one in Steele County. |
| 55 | S.F. 1092 (Hoffman) | Modifies the language related to Waiver Reimagine by including in the intent of the project that the new waiver program assess and address racial and geographical disparities and institutional bias in services and programs. |
| 56 | S.F. 189 (Hoffman) | Establishes a new one-time grant opportunity for parent-to-parent peer networks for families with children with any type of disability or special health care needs. |
| 57 | S.F. 615 (Abeler) | Directs the commissioner to develop a plan to address MSOCS programs that are the location of repeated incidents that are disruptive to the communities in which the program is located. |
| 58 | S.F. 2103 <i>modified</i> (Housley) | Directs the commissioner to develop a proposal for a funding mechanism for the PACE program. |
| 60 | sc8539 (Abeler) | Delays by 3 months the rate reduction for housing stabilization services for providers who have made a good faith effort to become enrolled medical assistance providers. |
| 61 | S.F. 1093, as amended (Utke) | Resumes temporary funding for the provision of PCA services by parents of a minor and spouses. |
| 62 | LM010-1 (Abeler) | Directs the commissioner to limit growth in the DD and CADI waiver to the equivalent of zero allocations per year, while providing for the return of individuals to the waivers after being off the |

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| | | waiver for no more than 90 and allowing exceptions to waiver growth for individuals exiting certain institutional settings. |
| 64 | S.F. 1319 A-2 <i>modified</i> (Nelson) | Provides retainer payments in amounts to be determined by the commissioner to providers of most home and community-based services provided under the state Medicaid plan and the waiver programs. |
| 65 | New (Abeler) | Provides a rate increase to be determined by the commissioner for personal care assistance services, community first services and supports and related programs. |
| 66 | New (Abeler) | Provides a rate increase to be determined by the commissioner for home health agency services and home care nursing services. |
| 67 | Revisor Instruction | Revisors instructions to recodify, in collaboration with house research, senate council and DHS, the DWRS rate statutes, and the long-term care consultation services and long-term care options counseling statutes. |
| 68 | Repealer | Repeals the HCBS policy states passed in 2020 that are reframed and restated in this article. |

Article 6: Community Supports Policy

S.F. 1801 (Utke) and S.F. 1671 (Ingebrigtsen)

| Section | Proposal | Description |
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| 1 | Children’s Mental Health Screening Data collection | Authorizes the commissioner of human services to collect individual child mental health screening information for the purposes of program evaluation and improvement |
| 2 | State Advisory Council on Mental Health | Modifies membership on the State Advisory Council on Mental Health to include MDH and representatives from American Indian Mental Health Advisory Council, & consumer-run mental health advocacy group |
| 3 | Day Service Needs Determination | Clarifies terminology to align with 256B.4914; clarifies need determination is not needed for change in provider name or ownership |
| 4-47 | Public Guardianship Modernization | Updates statutes governing public guardianships (chapter 252A) for persons with developmental disabilities to reflect changes made in Laws 2020 chapter 86, article 1, to guardianship law (chapter 524), including modernizing terminology and requiring a consideration of less restrictive alternatives |

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| 48, 55, 84 | Behavioral Health technical | Make clarifying and technical changes to behavioral health provisions |
| 49-54, 82 | Housing Stabilization Services clean-up | Renames “housing support services” as “housing stabilization services,” which will prevent confusion between this medical assistance service and the state-funded housing support program under chapter 256I; and modifies housing stabilization service provider requirements, including by specifying service provision documentation requirements |
| 56 | HCBS Waiver Transportation correction | Aligns HCBS waiver transportation standards with federally approved waiver plans |
| 57-81 | Community First Services and Supports | Makes various clarifications and modifications to CFSS policy prior to its rolling implementation beginning in the fall of 2021. |
| 83 | Revisor Instruction | (a) Replace “consolidated chemical dependency treatment fund” with “behavioral health fund: (b) Replace “housing support services” with “housing stabilization services” (c) Replace “group residential housing” with “housing support” |
| 83 | Repealer | (a) Repeals the requirement that the commissioner conduct on-going determinations of need for day training and habilitation. (b) Repeals definitions of “license” and “nonresidential program” from the human services licensing statute; repeals subdivision relating to use of term “guardian” in developmental disability protection statutes |

Article 7: Miscellaneous

| Section | S.F./Source | Description |
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| 1, 3, 23-25 | S.F. 982 (Wiklund) | Requires the board of MNsure to initiate background study under 245C of navigators, in-person assisters, and certified application counselors; requires the Professional Educators Licensing Standards Board and the Board of School Administrators to initiate existing background studies under 245C; establishes background study fees for MNsure, PELSB and the Board of School Administrators This proposal does NOT include the background studies fee schedule language in the A21-0128 amendment adopted by the HHS committee. |

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| 2 | S.F. 1762, as amended (Kiffmeyer) | Ombudsperson for Child Care Providers |
| 4-6 | S.F. 1762, as amended (Kiffmeyer) | Provides definitions to clarify differences between “family or group family,” “special family,” and “nonresidential family” child care programs |
| 7, 12, 13-14 | S.F. 827 A-4 (Utke) Policy only | Supersedes and modifies the child-to-adult caregiver ratios and age distribution restrictions for group family child care providers provisions in Minnesota Rules; increases from 14 to 16 the maximum licensed capacity of group family child care providers |
| 8-9, 16, 19-22, 26-32 | S.F. 1558, as amended (Rosen) | Family foster care setting background study modifications |
| 10-11 | S.F. 517-1 (Kiffmeyer) Policy only | Requires an administrative law judge to issue a final binding decision, rather than a recommendation to the commissioner of human services, following a hearing relating to the license of a family or group family day care provider; decision may be appealed for judicial review in a district court |
| 13-14 | S.F. 1762, as amended (Kiffmeyer) | Revises existing statute to limit meaning of “special family child care” and establish a new categorization of certain types of providers as “nonresidential family child care” |
| 15 | S.F. 1762, as amended (Kiffmeyer) | Requires county agencies to forward DHS communications about family child care to family child care providers in county |
| 17 | S.F. 1762, as amended (Kiffmeyer) | Adds definition of “adult assistant” for purposes of family child care |
| 18 | S.F. 1762, as amended (Kiffmeyer) | Permits child care trainers to count up to two hours of instruction toward annual 16-hour training requirement |
| 33 | S.F. 1762, as amended (Kiffmeyer) | Municipality liability exemption for granting licensing variance |
| 34, 35 | S.F. 496-2 (Utke) | Extends the expiration of the Department of Human Services background studies modification to 180 days (as opposed to 60 days) following the end of the peacetime public health emergency related to COVID-19 |
| 36 | S.F. 1762, as amended (Kiffmeyer) | Direction to commissioner: include family child care representatives in groups implementing family child care task force recommendations |
| 37 | S.F. 269 (Kiffmeyer) | Family child care regulation modernization project |
| 38 | S.F. 1762, as amended (Kiffmeyer) | Direction to commissioner: develop proposal for family child care assistance network |

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| 39 | S.F. 1762, as amended (Kiffmeyer) | Direction to commissioner: develop basic orientation training for new family child care providers |
| 40 | S.F. 1762, as amended (Kiffmeyer) | Family Child Care Training Advisory Committee |
| 41 | S.F. 1762, as amended (Kiffmeyer) | Direction to commissioner: updates to FAQ website for family child care providers |
| 42 | S.F. 1558, as amended (Rosen) | Direction to commissioner: develop licensing guidelines for family foster settings |
| 43 | New (modified from S.F. 1762) | Direction to commissioner: allocate federal funding from American Rescue Plan for child care regulation modernization project |
| 44 | New (modified from S.F. 1762) | Direction to commissioner: allocate federal funding from American Rescue Plan for child care provider startup grants |
| 45 | New (modified from S.F. 1762) | Direction to commissioner: allocate federal funding from American Rescue Plan for child care business training program |

Article 8: Mental Health Uniform Service Standards

S.F. 1028, Article 1 (Housley)

| Section | S.F./Source | Description |
|---------|---------------------------------|--|
| 1-19 | S.F. 1028, as amended (Housley) | Establishes a unified licensing framework for mental health services and creates common standards that apply to all mental health care programs; begins the transition of residential crisis stabilization (RCS) and intensive residential treatment services (IRTS) to the new common standards beginning July 1, 2022; creates a consolidated list of mental health services covered by medical assistance; and requires the commissioner to consult with stakeholders to continue to develop recommendations for a single comprehensive mental health licensing structure |

Article 9: Crisis Response Services

S.F. 1028, Article 2 (Housley)

| Section | S.F./Source | Description |
|---------|---------------------------------|---|
| 1-5 | S.F. 1028, as amended (Housley) | Combines mobile crisis standards for adults and children to eliminate unintentional differences; clarifies how mobile crisis teams can work with family members and other third parties calling on behalf of someone in need of crisis assistance |

Article 10: Uniform Service Standards; Conforming Changes

S.F. 1028, Article 3 (Housley)

| Section | S.F./Source | Description |
|----------------|---------------------------------|--|
| 1-119 | S.F. 1028, as amended (Housley) | Incorporates conforming changes to accommodate uniform service standards modifications |