

## Health and Human Services Finance Bill – Delete Everything Amendment – List of Sections

This document lists the sections from the Senate and House health and human services finance bills that correspond with sections of the delete everything amendment. The document also highlights changes from the original Senate or House provisions.

### Article 1: Community Supports

DE §	Senate §	House §	Description
1	1		Gaps Analysis.
2	2	4	245D standards (DWRS) – Senate.
3	3	6	DT&H (DWRS) – Senate.
4	4		ACT Grant program modified version with paragraph (c) moved into the appropriations article as a rider.
5-12		8-14	Home health services plus amendment from DHS to add § 256B.0625, subd. 31.
13-17	5-10		Complex PCA with technical changes.
18-22, 51, 52	11-17, 29-31		MnCHOICES reform modified version.
24-34, 47, 48	18-28, 43, 44	17-26, 68, 66	DWRS – Senate with 350 day limit removed and with clarifying changes.
35-43, 49, 50	32-41, 45, 46	30-38, 63, 64	Deaf and Hard-of-Hearing Modernization – House with mileage reimbursement removed.
44-46	42 and 48	60, 62, and 69	CDCS Budget Methodology – House (except Senate § 42 instead of House § 69) with modifications to clarify language and the effective date.
53	49	70	Repealer – House with additional repealers related to CDCS budget methodology.
23			Plus Senate incentive pool amendment.

### Article 2: Housing

DE §	Senate §	House §	Description
1, 2, 4-12, 15-17	1, 2, 4-12, 15-17		Sen. Abeler’s housing package.
3, 14, 18-21	3, 14, 18-21		Corporate foster care reform with technical change and language added to clarify that facilities that only serve private pay individuals are exempt from the moratorium and that the commissioner has the authority to manage children’s residential treatment capacity.
13, 22-24, 26, 27, 29-33, 38, 40, 42	13, 22-24, 26, 27, 29-33, 37, 40, 42, 43		Individual community living.

**Article 2: Housing**

DE §	Senate §	House §	Description
25 and 39	25 and 41	43 and 49	Housing support presumptive eligibility – Senate with conforming terminology changes.
28	28	44	Housing support moratorium exception to add 36 beds – Senate with conforming terminology changes.
34	34	45	Housing support supplemental rate for St. Louis County facility – Senate.
35	35	47	Housing support supplemental rate for Olmsted County facility – Senate.
36	36	46	Housing support supplemental rate for Anoka County facility – Senate.
37	38	48	Housing support transfer of emergency shelter funds – House language with date biennial plan is due removed and conforming terminology changes.
41		58	Housing support study – moved from article 7.

**Article 3: Continuing Care**

DE §	Senate §	House §	Description
1	1		Clarifies nursing facility assessment timing.
3		2	Swing beds.
2, 4, 22-27, 30-48	2, 3, 19-24, 26-35	1, 8, 15, 16, 27, 39, 40-58	Nursing facility VBR package – Senate plus House nursing facility scholarships and no cost items.
5 and 30		3 and 39	Supplemental Nursing Services Agencies – with an amendment to match the spreadsheet.
6 and 7	4, 5		Return to Community.
8		7	Caregiver support grants.
9-20, 50, 54	6-17, 36, 38		Elderly Waiver Reform.
21	18		Essential community supports increase.
28, 29, and 53	25	28, 29, and 67	ICF/DD rates and study – House.
49	37	59	Nursing facilities in border cities – House.
51		61	Alzheimer’s Disease working group.
52		65	Electronic service delivery documentation system.

**Article 4: Health Care**

<b>DE §</b>	<b>Senate §</b>	<b>House §</b>	<b>Description</b>
1		1	House – OLA audit of DHS programs and a representative sample of enrollees – modified to give DHS more flexibility in implementing corrective action (e.g. 20-day implementation requirement eliminated) and to refer to use of assessment of risk and professional standards to determine the enrollee sample.
2, 40	1, 31		Senate – OLA audit of managed care plans.
3	2		Senate – Dept. Public Safety to provide Social Security numbers to DHS for purposes of benefit recovery (modified to require provision of only the last digits).
4	3		Senate – Provider listing of CPT codes.
5-12, 42		3-5, 7, 9-12, 40	House – Inpatient hospital payment methodology; includes House extension of payment adjusters; does not include Senate delay of rebasing.
13, 20-23		13, 17-20	House – Non-emergency medical transportation provisions, including elimination of pro-ration of payments. Modified to eliminate the immediate effective date.
14	14		Senate – Increase in spend-down limit from 80 to 81 percent FPG.
15, 24-25, 35, 49	15, 18, 19, 29	Art 6, 13-16	Senate/House – allow use of interactive video for case management (nearly identical). Effective date modified – effective upon federal approval rather than three months after approval.
16	16	14	Senate/House – allowing mental health practitioners to provide telemedicine (nearly identical; House on technical difference in defining provider; Senate on effective date).
17	17		Senate – Eliminates home care nursing interpreter-communicator services.
18-19		15-16	House – Prescription drug payment methodology.
26, 53		21, 50	House –Establishes a new alternative payment method for FQHCs; study on 340B drugs.
27	20		Senate – Coverage of post arrest community-based service coordination (with effective date change).
28	22	24	Senate/House – allows EPSDT program to cover stiripentol (nearly identical; Senate on technical difference).
29	24	Art 7, 4	Senate/House – Requires quality measures to be risk-adjusted for complex populations (similar in both bills; using House language). Prohibits use of patient pain assessments when determining provider payments (House only language) – modified to refer to chronic pain. Senate language on statewide measures not included.

**Article 4: Health Care**

<b>DE §</b>	<b>Senate §</b>	<b>House §</b>	<b>Description</b>
30-33, 56	25-28, 45	26	Senate/House – Similar language on integrated health partnerships (includes both House and Senate risk adjustment criteria; includes Senate formatting and Senate language on patient incentives related to primary care – deletion of requirement that incentives be “financial.”
34		27	House – Integrated health partnerships expansion (direct provider contracting).
36-38		35-37	House – Intergovernmental transfers (expansion of ambulance IGT; new U of M IGT for physicians and dentists). Modified to limit scope to fee-for-service, define billing professional, and to clarify services affected.
39		38	House – Managed care withhold tied to submittal of verification of coverage form.
41		39	House – Competitive bidding – modified to eliminate requirement that scoring sheets be released (DHS must discuss results with providers), require DHS to provide information on goals and objectives to potential responders, and add a requirement that county input meet federal conflict of interest requirements.
43	34	41	House/Senate – Sets the payment rate for public health nurse visits (identical) – modified to specify that the payment rate is \$140, rather than a minimum of \$140.
44		42	House – Payment rates for ventilators.
45-47		43-45	House – Hospital outcomes program.
48	40	48	Senate/House – Managed care payment delay (took Senate language, but without the delay of a portion of the April 2019 payment).
50	42		Senate – Legislative commission on managed care to study competitive bidding and procurement.
51	43		Senate – Study of federal health reform and health care access fund.
52	44		Senate – Study of opioid use and acupuncture (revised language that gives DHS more flexibility in study design).
54		51	House – Rate setting report for outpatient, professional, and physician services.
55		52	House – Study of DME and 21st Century Cures Act – reporting date changed to match the timeline for the expected availability of data.
57	46		Senate – Repealer – only home care nursing interpreter communicator service repealed.

**Article 5: Health Insurance**

DE §	Senate §	House §	Description
1	1		Standard provisions for insurance policies that do not apply to health plans (with technical amendment).
2	2		Continuation privilege for former spouses and children (with technical amendment).
3	3		Orally administered anticancer medication level of coverage indicated.
4	4, 5		HMO coverage of current spouse, former spouse, and children (with technical amendment).
5-7	6-8		Exempting certain ACA-compliant plans from provisions in chapter 62E.
8, 9	14, 15		Including HMOs and service plan corporations in section 317A.811 (notice to AG and waiting period before entity can dissolve, merge, or consolidate or transfer assets).
10	16		Requirements for nonprofit health care entity conversion review by AG (modified definition of public benefit assets; subdivisions removed governing power to approve conversions, transfer of value of assets, assessment of costs, annual report, and penalties).
11	21		Amending sunset for portions of premium subsidy article in Laws 2017, chapter 2.
12	22		Amending date in Laws 2017, chapter 2 until which the appropriation for premium assistance is available, and date by which unexpended funds must be transferred to the budget reserve.

**Article 6: Direct Care and Treatment**

DE §	Senate §	House §	Description
1	1		Civil commitment administrative requirements. <b>Change:</b> weekend admission language not included. Language added requiring that treatment facility staff receive commitment paperwork and information consistently and in a timely manner.
2	2		Imposing term limits on members of the review board under the Civil Commitment Act.
3	3		Requiring commissioner to review alternatives to one-person state-operated group homes and report to legislature.

**Article 7: Children & Families**

DE §	Senate §	House §	Description
1-4	1-4		Welfare data.
5 and 6	9 and 12	7 and 10	Part of child care program integrity package and multi-county provider reimbursement rate – House.
7 and 8		19, 20	Foster care liability insurance coverage expanded.

**Article 7: Children & Families**

DE §	Senate §	House §	Description
9		29	Positive supports exemption with clarifying changes and language added prohibiting use of restraints, etc.
10	21		Exemption from certain child care training.
11	34	Art. 2, § 5	TEFRA parental fee reduction – House.
12	36		CAP agency funding formula modification.
13	37		MFIP increase.
14 and 16	38 and 40	50 and 52	Removes MFIP marriage disincentive – Senate language with an amendment to the effective date to match the spreadsheet.
15	39		Support for adoptive, foster, and kinship families.
17		53	Requirement for social services agency to provide for reentry to foster care after age 18 and until age 21.
18	43		Birth to 8 pilot project – modified to require participants to opt-in and provide parental consent.
19	44	56	Pathways to Prosperity – Senate language with clarifying changes.
20	45		Report on compliance with Indian Child Welfare Act.
21		55	Mobile food shelf grants.
22		57	Child care correction order posting guidelines.
		58	GRH study – <b>move to article 2.</b>
23	46	59	Repealer – includes Senate repealers plus House child care unionization repeal does not include House child care program integrity repealers.

**Article 8: Chemical and Mental Health**

DE §	Senate §	House §	Description
1	1	<b>18</b>	Mental health innovation grant program. <b>Change:</b> coded, and funding added in sections 31 and 32.
2	<b>2</b>	Art. 1, § 2	Children’s mental health grants for start-up funding and school-linked mental health services. Adopted 4/25 with A103 amendment (school-linked mental health transportation; technical).
3-6	3-5	<b>Art. 8, §§ 5-8</b>	Modifying provisions related to the Ombudsman for Mental Health and Developmental Disabilities.
7	<b>6</b>	4	Updating terminology to refer to substance use disorder, and cross-references to new chapter established in sections 8 to 29. <b>Change:</b> adds county (eligible vendor of care coordination and assessment) and recovery community organization to exclusions.
8	<b>7</b>	5	Updating terminology and cross-references; technical change.

**Article 8: Chemical and Mental Health**

DE §	Senate §	House §	Description
9-30	8-29		Establishes standards for substance use disorder services, primarily in existing rules; adds peer recovery support services and care coordination; consolidates opioid treatment program provisions. Technical changes throughout.
31			Requiring receipts from collection efforts for regional treatment centers and community behavioral health hospitals (county payments) to be deposited in the mental health innovation account, according to sec. 31.
32			Establishing the mental health innovation account; requiring deposits into the account from revenue generated from regional treatment centers and CBHHs in specified amounts, appropriated for the mental health innovation grant program.
33-47	<b>30-44</b>	6, 7	Modify ch. 245A – treatment of alcohol and drug abuse. Mostly updating terminology, incorporating new services, and striking obsolete references. Specifies eligible vendors for comprehensive assessments. Technical changes.
48-52	<b>45-49</b>	8, 9	Update terminology and references in chemical dependency treatment chapter; defining recovery community organization.
53	<b>50</b>	10	Specifying eligible vendors of assessment, care coordination, and peer support services.
54	51		Updates cross-references.
55	<b>52</b>	11	Requires commissioner to establish rates for new eligible services; updates cross-references.
56-60	53-57		Updates terminology and references; commissioner authority to apply for necessary federal waivers. Effective date technical change, sec. 55.
61		12	Chemical dependency provider rate increase.
62	58		Updates terminology and references.
63-65	<b>59-61</b>	Art. 1, §§ 22, 28, 29	Psychiatric residential treatment facility for persons under 21; MA children’s therapeutic services and supports. Adopted 4/25 with A103 amendment (effective dates).
66, 67	62, 63	<b>Art. 1, §§ 30, 31</b>	Provides for state MA coverage equivalent to federal share of children’s mental health services in residential facilities determined to be IMDs.
68		17	Equalizing payment rates for mental health clinics not designated as essential community providers, for certain services.
69	64	<b>Art. 1, §49</b>	Comprehensive analysis of continuum of intensive mental health services and care for children with serious mental health needs.
70	65	<b>19</b>	Requires commissioner to contract with expert for SUD residential treatment program model and payment structure not subject to IMD exclusion.
71	66		Revisor’s instruction for terminology changes.

**Article 8: Chemical and Mental Health**

DE §	Senate §	House §	Description
72	67	21	Repeals obsolete statutes and rules due to new chapter 245G; repeals section related to chemical dependency provider rate.

**Article 9: Operations**

DE §	Senate §	House §	Description
1, 2	2, 3	Art. 4, § 21, 22	Definition of “annual” and “annually” for child care providers. Adopted 4/25.
3		Art. 4, § 23	Child care exit interviews.
4	5		Modifying the DHS correction order reconsideration process for licensed family child care providers. <b>Change:</b> Report language not included.
5		Art. 4, § 24	Modifying child care correction order posting requirements.
6		Art. 4, § 25	Specifying that child care correction order quotas are prohibited.
7		Art. 4, § 26	Child care fix-it ticket.
8	6		Fines following determination of serious maltreatment.
9	7	Art. 4, § 27	Information for child care license holders. Adopted 4/25.
10		Art. 4, § 28	Child care report to legislature.
11	8	Art. 4, § 54	Investigations of maltreatment ad DOC-licensed residential facilities to be conducted by DHS.

**Article 10: Health Department**

DE §	Senate §	House §	Description
1-18	1-18		Wells and borings technical and conforming changes.
19, 82	20, 80	1	Palliative care advisory council (Senate language with technical changes).
20, 29		2, 10	Handheld dental x-ray equipment
21, 30	21, 25		Certain fees for hospitals, nursing homes, outpatient surgical centers, and home care providers nonrefundable.
22	22	3	Health professional education loan forgiveness program (Senate language).
23		4	Senior care workforce innovation grant program
24	23	5	Health professionals clinical training expansion grant program (House language, changed headnote).
25		6	Physician residency expansion grant program.



**Article 10: Health Department**

DE §	Senate §	House §	Description
26		7	Tobacco quitline.
27	24	8	Hospital moratorium exception.
28		9	Minnesota biomedicine and bioethics innovation grant program.
31, 32	26, 27	11, 12	Revenue from home care provider fines.
33, 34	28, 29	13, 14	Supplemental nursing services agency definitions.
35	30		Housing with services establishments exempt from obtaining lodging license.
36-55, 68, 69, 72-75	32-50, 68-71	15-34, 41, 43- 46	Prescribed pediatric extended care (PPEC) center licensure, MA coverage and rates for services (House language, amended to cover services under MA, instead of requiring waiver amendment; effective dates amended for certain sections).
56		35	Requiring reporting of certain information for abortions performed via telemedicine.
57, 71	51, 67	36, 42	MDH to manage safe harbor for youth account.
58	52		Opioid abuse prevention grants.
59			Modifying reporting requirements on grants to decrease racial and ethnic disparities in infant mortality rates (new).
60	53		SHIP grants to confront opioid addiction and overdose epidemic.
61	63		Audiology biennial licensure fee technical changes.
62-66		37-40	Medical cannabis manufacturer registration (amended to lower fine amount, modify effective date for section 66; section 62 is new).
67	64		Licensure fee collected under chapter 157 deposited in SGSR.
70	65		Fee collected from manufactured home parks and camping areas deposited in SGSR.
	74		Somali autism program; this section was moved to the appropriations article.
76, 83		47, 54	Brain health pilot program, youth sports concussion working group.
		50	Early dental disease prevention pilot program; this section was moved to the appropriations article.
77		51	Recommendations for safety and quality improvement practices for long-term care services.
78	75	53	Home care nursing workforce shortage study (House language, working group membership amended).
79	76	Art 7 sec 5	Opioid abuse prevention pilot projects (House language).
80	78	52	Statewide sex trafficking victims strategic plan (House language).
81	79		Commissioner of health to study whether health care facility laws protect persons with dementias.

**Article 10: Health Department**

DE §	Senate §	House §	Description
84	82	55	Repealers (both House and Senate).

**Article 11: Health Licensing Boards**

DE §	Senate §	House §	Description
1	1		Moves licensing fees for physicians from rules to statute; authorizes BMP to charge fees developed pursuant to interstate compact.
2	2		Specifies that BMP fees are nonrefundable.
3	3		Removes reference to fees in rules.
4	4		Moves physician assistant licensing fees from rules to statute.
5	5		Moves acupuncturist fees from rules to statute.
6	6		Moves respiratory therapist fees from rules to statute.
7-30	7-30		Changes regulatory authority for Occupational Therapists (OTs) and OT assistants from commissioner of health to the Board of OT Practice. Technical changes to cross-references.
31	31		Creates Board of Occupational Therapy Practice.
32-48		7-23	Psychology Practice Act.
49-51		24-26	Adds dental therapists and dental assistants to list for examination waiver; modifies licensure credential requirements; allows dental assistants and hygienists to perform certain restorative procedures.
52	32		Adds Board of OT Practice to definition of “health related licensing board.”
53	33		Requires governor to appoint members to OT board.
54	34		Revisor instruction related to OT Board.
55		28	Revisor instruction to change headnote of section 147.0375 to “LICENSURE OF EMINENT PHYSICIANS.”
56	35	29	Repeals sunset of medical faculty licensure; repealers associated with psychology practice act changes, OT board, and moving fees from rules to statute.

**Article 12: Opiate Abuse Prevention**

DE §	Senate §	House §	Description
1		1	Opioid warning labels.
2		2	Opioid prescription quantity limits for dental pain and pain related to refractive surgery.
3		8	Grant program for injectable medications replaced by a section that requires DHS to pay the pharmacy directly for these medications.
4		6	Report on opioid crisis grants; use of grant funds. Reporting date modified to match federal reporting timeline.
5		7	Chronic pain demonstration project. Modified by converting to a grant program and giving DHS more flexibility in implementing.

**Article 13: Miscellaneous**

DE §	Senate §	House §	Description
1		13	Special enrollment periods; QSEHRAs (amended version).
2, 3		9, 10	Definitions of controlling individual and owner in Human Services Licensing Act.
4		11	Legislative notice and approval for certain federal waivers and approvals.
5, 6		12, 14	Establishment of federally facilitated marketplace, repeal of MNsure (amended to add items to the implementation plan).

**Article 14: Nursing Facility Technical Corrections**

DE §	Senate §	House §	Description
1-21		1-21	Corrects obsolete cross-references and removes obsolete language related to the nursing facility payment recodification of statutes.
22		22	Effective date.