

1.1 moves to amend H.F. No. 2294 as follows:

1.2 Page 2, after line 25, insert:

1.3 "Sec. Minnesota Statutes 2011 Supplement, section 256I.05, subdivision 1a,
1.4 is amended to read:

1.5 Subd. 1a. **Supplementary service rates.** (a) Subject to the provisions of section
1.6 256I.04, subdivision 3, the county agency may negotiate a payment not to exceed \$426.37
1.7 for other services necessary to provide room and board provided by the group residence
1.8 if the residence is licensed by or registered by the Department of Health, or licensed by
1.9 the Department of Human Services to provide services in addition to room and board,
1.10 and if the provider of services is not also concurrently receiving funding for services for
1.11 a recipient under a home and community-based waiver under title XIX of the Social
1.12 Security Act; or funding from the medical assistance program under section 256B.0659,
1.13 for personal care services for residents in the setting; or residing in a setting which
1.14 receives funding under Minnesota Rules, parts 9535.2000 to 9535.3000. If funding is
1.15 available for other necessary services through a home and community-based waiver, or
1.16 personal care services under section 256B.0659, then the GRH rate is limited to the rate
1.17 set in subdivision 1. Unless otherwise provided in law, in no case may the supplementary
1.18 service rate exceed \$426.37. The registration and licensure requirement does not apply to
1.19 establishments which are exempt from state licensure because they are located on Indian
1.20 reservations and for which the tribe has prescribed health and safety requirements. Service
1.21 payments under this section may be prohibited under rules to prevent the supplanting of
1.22 federal funds with state funds. The commissioner shall pursue the feasibility of obtaining
1.23 the approval of the Secretary of Health and Human Services to provide home and
1.24 community-based waiver services under title XIX of the Social Security Act for residents
1.25 who are not eligible for an existing home and community-based waiver due to a primary
1.26 diagnosis of mental illness or chemical dependency and shall apply for a waiver if it is
1.27 determined to be cost-effective.

2.1 (b) The commissioner is authorized to make cost-neutral transfers from the GRH
2.2 fund for beds under this section to other funding programs administered by the department
2.3 after consultation with the county or counties in which the affected beds are located.

2.4 The commissioner may also make cost-neutral transfers from the GRH fund to county
2.5 human service agencies for beds permanently removed from the GRH census under a plan
2.6 submitted by the county agency and approved by the commissioner. The commissioner
2.7 shall report the amount of any transfers under this provision annually to the legislature.

2.8 (c) The provisions of paragraph (b) do not apply to a facility that has its
2.9 reimbursement rate established under section 256B.431, subdivision 4, paragraph (c).

2.10 (d) Counties must not negotiate supplementary service rates with providers of group
2.11 residential housing that are licensed as board and lodging with special services and that
2.12 do not encourage a policy of sobriety on their premises and make referrals to available
2.13 community services for volunteer and employment opportunities for residents."

2.14 Renumber the sections in sequence and correct the internal references

2.15 Amend the title accordingly