

Bill Index for HF 1532/SF 1801: DHS Community Supports Provisions

Proposal	Section	Statute	Effective Date	Description
Children's Mental Health Screening Data collection	Sec. 1	245.4874, subdivision 1	None listed	Allows the Commissioner to access individualized screening results for purpose of program evaluation
State Advisory Council on Mental Health	Sec. 2	245.697, subdivision 1	None listed	Modifies membership to include MDH and representatives from American Indian Mental Health Advisory Council, & consumer-run mental health advocacy group
Day Service Needs Determination	Sec. 3	252.43	The day following final enactment	Clarifies terminology from day services to day programs to align with 256B.4914; clarifies need determination is not needed for change in provider name or ownership

Proposal	Section	Statute	Effective Date	Description
Public Guardianship Modernization	Sec. 4	252A.01, subdivision 1	None listed	Requires less restrictive alternatives before public guardianship is considered
Public Guardianship Modernization	Sec. 5	252A.02, subdivision 2	None listed	Updates meaning of developmental disability.
Public Guardianship Modernization	Sec. 6	52A.02, subdivision 9	None listed	Changes “ward” to “person subject to guardianship”
Public Guardianship Modernization	Sec. 7	252A.02, subdivision 11	None listed	Updates meaning of “interested person”
Public Guardianship Modernization	Sec. 8	252A.02, subdivision 12	None listed	Updates references to ward with new terminology “person subject to public guardianship”

Proposal	Section	Statute	Effective Date	Description
Public Guardianship Modernization	Sec. 9	252A.02 new subdivision added	None listed	Adds definition of protected person
Public Guardianship Modernization	Sec. 10	252A.02 new subdivision added	None listed	Adds definition of respondent
Public Guardianship Modernization	Sec. 11	252A.02 new subdivision added	None listed	Adds definition of supported decision making
Public Guardianship Modernization	Sec. 12	252A.03, subdivision 3	None listed	Clarifies an assessment determines a developmental disability & requires that the person was included in process
Public Guardianship Modernization	Sec. 13	252A.03, subdivision 4	None listed	Removes conservatorship & aligns with developmental disability meaning earlier in bill
Public Guardianship Modernization	Sec. 14	252A.04, subdivision 1	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 15	252A.04, subdivision 2	None listed	Updates language to be person-first

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Public Guardianship Modernization	Sec. 16	252A.04, subdivision 4	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 17	252A.05	None listed	Deletes public conservatorship reference
Public Guardianship Modernization	Sec. 18	252A.06, subdivision 1	None listed	Deletes public conservatorship reference and revises sentence structure
Public Guardianship Modernization	Sec. 19	252A.06, subdivision 2	None listed	Updates language to be person-first; deletes public conservatorship references
Public Guardianship Modernization	Sec. 20	252A.07, subdivision 1	None listed	Revisor edits
Public Guardianship Modernization	Sec. 21	252A.07, subdivision 2	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 22	252A.07, subdivision 3	None listed	Revisor edits; updates language to be person-first

Proposal	Section	Statute	Effective Date	Description
Public Guardianship Modernization	Sec. 23	252A.081, subdivision 2	None listed	Updates language to be person-first; updates “process server” to “visitor”
Public Guardianship Modernization	Sec. 24	252A.081, subdivision 3	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 25	252A.081, subdivision 5	None listed	Updates language to be person-first; removes reference to conservatorship
Public Guardianship Modernization	Sec. 26	252A.09, subdivision 1	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 27	252A.09, subdivision 2	None listed	Updates language to be person-first; Revisor edit
Public Guardianship Modernization	Sec. 28	252A.101, subdivision 2	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 29	252A.101, subdivision 3	None listed	Updates language to be person-first

Proposal	Section	Statute	Effective Date	Description
Public Guardianship Modernization	Sec. 30	252A.101, subdivision 5	None listed	Updates language to be person-first; deletes references to conservatee, conservatorship; adds alternatives such as supported decision maker or health care agent
Public Guardianship Modernization	Sec. 31	252A.101, subdivision 6	None listed	Updates language to be person-first; deletes references to conservatee/conservatorship
Public Guardianship Modernization	Sec. 32	252A.101, subdivision 7	None listed	Updates language to be person-first; deletes references to conservatee
Public Guardianship Modernization	Sec. 33	252A.101, subdivision 8	None listed	Updates language to be person-first; deletes references to conservator
Public Guardianship Modernization	Sec. 34	252A.111, subdivision 2	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 35	252A.111, subdivision 4	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 36	252A.111, subdivision 6	None listed	Updates language to be person-first

Proposal	Section	Statute	Effective Date	Description
Public Guardianship Modernization	Sec. 37	252A.12	None listed	Updates language to be person-first; removes reference to conservator
Public Guardianship Modernization	Sec. 38	252A.16	None listed	Updates language to be person-first; removes reference to conservatee, conservatorship
Public Guardianship Modernization	Sec. 39	252A.17	None listed	Updates language to be person-first; removes reference to conservator
Public Guardianship Modernization	Sec. 40	252A.19, subdivision 2	None listed	Updates language to be person-first; Revisor edits
Public Guardianship Modernization	Sec. 41	252A.19, subdivision 4	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 42	252A.19, subdivision 5	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 43	252A.19, subdivision 7	None listed	Updates language to be person-first

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Public Guardianship Modernization	Sec. 44	252A.19, subdivision 8	None listed	Updates language to be person-first
Public Guardianship Modernization	Sec. 45	252A.20	None listed	Updates language to be person-first; Revisor edits
Public Guardianship Modernization	Sec. 46	252A.21, subdivision 2	None listed	Updates language to be person-first; deletes references to conservatorship
Public Guardianship Modernization	Sec. 47	252A.21, subdivision 4	None listed	Deletes references to conservatorships
Behavioral Health technical	Sec. 48	254B.03, subdivision 2	None listed	Adds cross-reference to account for expanded pool of eligible vendors under 254B.05
Opiate Epidemic Response Advisory Council modifications	Sec. 49	256.042, subdivision 2	None listed	Staggers membership terms; changes legislative report from March to December; clarifies DHS and Council roles; allows grantees to use 10% of funds for grant administration
Opiate Epidemic Response Advisory Council modifications	Sec. 50	256.042, subdivision 4	None listed	Changes legislative report from March to December

Proposal	Section	Statute	Effective Date	Description
Housing Stabilization Services clean-up	Sec. 51	256B.051, subdivision 1	None listed	Corrects terminology for housing stabilization services
Housing Stabilization Services clean-up	Sec. 52	256B.051, subdivision 3	None listed	Corrects terminology for housing stabilization services
Housing Stabilization Services clean-up	Sec. 53	256B.051, subdivision 5	None listed	Corrects terminology for housing stabilization services
Housing Stabilization Services clean-up	Sec. 54	256B.051, subdivision 6	None listed	Corrects terminology for housing stabilization services; requires annual vulnerable adult training
Housing Stabilization Services clean-up	Sec. 55	256B.051, subdivision 7	None listed	Corrects terminology for housing stabilization services
Housing Stabilization Services clean-up	Sec. 56	256B.051	None listed	Requires HCBS documentation standards for Housing Stabilization providers
Behavioral Health technical	Sec. 57	256B.0947, subdivision 6	None listed	Reinserts individual treatment plan requirement for IRMHS teams

Proposal	Section	Statute	Effective Date	Description
HCBS Waiver Transportation correction	Sec. 58	256B.4912, subdivision 13	None listed	Aligns HCBS waiver transportation standards with federally approved waiver plans
Community First Services and Supports	Sec. 59	256B.69, subdivision 5a	None listed	Adds CFSS to managed care plan requirements
Community First Services and Supports	Sec. 60	256B.85, subdivision 1	None listed	Separates PCA from homecare services
Community First Services and Supports	Sec. 61	256B.85, subdivision 2	None listed	Defines activities of daily living; conforms to CARES Act allow APRN and PA to order home health cares; clarifies that extended PCA excludes purchase of goods; removes roles of participant representative from definition section
Community First Services and Supports	Sec. 62	256B.85, subdivision 3	None listed	Ensures anyone currently eligible for PCA will be eligible for CFSS
Community First Services and Supports	Sec. 63	256B.85, subdivision 4	None listed	Revisor edits
Community First Services and Supports	Sec. 64	256B.85, subdivision 5	None listed	Requires that assessment results are provided to the person within 10 business days; allows temporary authorization of CFSS

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Community First Services and Supports	Sec. 65	256B.85, subdivision 6	None listed	Adds a section where the support plan is referenced; requires that the service plan describe the units or dollar amounts available to the participant
Community First Services and Supports	Sec. 66	256B.85, subdivision 7	None listed	Requires that parent/spouse CFSS workers must not have a wage that exceeds the current rate for CFSS support worker
Community First Services and Supports	Sec. 67	256B.85, subdivision 8	None listed	Allows additional service units for level I behavior that requires the immediate response of another
Community First Services and Supports	Sec. 68	256B.85, new subdivision	None listed	Adds exceptions for prior authorization consistent with other Medicaid services
Community First Services and Supports	Sec. 69	256B.85, subdivision 9	None listed	Conforms with CARES Act allow APRN and PAs to order home health services; precludes CFSS in foster care settings excluding family foster care; PCA conforming language
Community First Services and Supports	Sec. 70	256B.85, subdivision 10	None listed	Requires training for agency-provider and FMS; requires agency providers to request reassessments 60 days before the end of currently authorized CFSS
Community First Services and Supports	Sec. 71	256B.85, subdivision 11	None listed	Requires the agency to make a reasonable effort to fulfill the person's request for a preferred worker

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Community First Services and Supports	Sec. 72	256B.85, subdivision 11b	None listed	Requires agencies to evaluate worker competency and document instruction delivered to ensure competency for tracheostomy suctioning and service to people on ventilator support
Community First Services and Supports	Sec. 73	256B.85, subdivision 12	None listed	Adds provider enrollment requirements to align with enrollment for other services; removes annual reviews
Community First Services and Supports	Sec. 74	256B.85, subdivision 12b	None listed	Requires 30 calendar day notice of service termination instead of 10
Community First Services and Supports	Sec. 75	256B.85, subdivision 13	None listed	Requires people who live in the same household and have the same worker to use the same FMS provider; requires joint employers to use the same FMS
Community First Services and Supports	Sec. 76	256B.85, subdivision 13a	None listed	Requires FMS to provide 30 day notice prior to service termination
Community First Services and Supports	Sec. 77	256B.85 new subdivision	None listed	Adds participant representative responsibilities that were deleted in sec. 61.
Community First Services and Supports	Sec. 78	256B.85, subdivision 15	None listed	Requires time sheets are submitted at least once per month

Proposal	Section	Statute	Effective Date	Description
Community First Services and Supports	Sec. 79	256B.85, subdivision 17a	None listed	Provider enrollment alignment with other Medicaid services- proof of surety bond; maltreatment reporting required
Community First Services and Supports	Sec. 80	256B.85, subdivision 18a	None listed	Requires competency for worker training and development; removes unit limits for worker training and development services
Community First Services and Supports	Sec. 81	256B.85, subdivision 20b	None listed	Requires agency provider to be told about agreements for shared services
Community First Services and Supports	Sec. 82	256B.85, subdivision 23	None listed	Revisor edit
Community First Services and Supports	Sec. 83	256B.85, subdivision 23a	None listed	Adds consultation services to payment withhold and service termination requirements
Behavioral Health Technical	Sec. 84	Revisor Instruction	None listed	Requires revisor to change “consolidated chemical dependency treatment fund” to “behavioral health fund”
Public Guardianship modernization & Day Service Needs Determination	Sec. 85	Repealer	varies	Repeals 252.28, subd. 1 and 5: Needs Determination for Day Training and Habilitation; Repeals 252A.02 subds. 8 and 10 and 252.21 subd. 3: public conservator definitions and references

