



May 1, 2024

The Honorable Peter Fischer  
Chair, Human Services Policy Committee  
Minnesota House of Representatives  
551 State Office Building  
St. Paul, MN 55155

The Honorable John A. Hoffman  
Chair, Human Services Committee  
Minnesota Senate  
2111 Minnesota Senate Building  
St. Paul, MN 55155

**Re: Legal Aid Letter regarding the Human Services Omnibus Policy Bill (SF 4399)**

Dear Chair Fischer, Chair Hoffman, and Conferees:

Legal Aid and the Minnesota Disability Law Center (MDLC) are grateful for the legislature's commitment to addressing the needs of disabled and elderly Minnesotans. We appreciate the opportunity to provide written public testimony regarding the Human Services Policy Omnibus Bill, SF 4399.

Legal Aid and MDLC are particularly grateful for the following provisions:

- Elimination of town, municipality, or county rental requirements for residential programs (lines 2.22-3.3).
- Changing the renewal period for Medical Assistance for Employed Persons with Disabilities from semi-annual to annual (lines 12.26-12.33).
- Allowing remote reassessments (lines 15.30-15.32).

Legal and MDLC support the House changes to the Medical Assistance for Employed Persons with Disabilities language regarding earnings (lines 9.27-9.30 in the House version). The House version is simpler, requiring self-employed recipients to file and pay all applicable taxes. Employers are responsible for the other deductions.

We remain concerned about the prioritization of assistive technology and remote support over direct care staff when implementing or reauthorizing waiver services (lines 17.12-17.13). This change would require lead agencies to offer waiver recipients assistive technology or remote supports before offering direct support staff in initial cases or renewals. It is not informed decision-making (required by this statute) when one type of service is favored and must be discussed and rejected before the full array of services available are presented. Informed decision making takes place when waiver recipients are presented with the full array of options in an unbiased and nonprioritized manner. We strongly and respectfully urge that you reject this language.

Legal Aid and MDLC also strongly support ending the subminimum wage for persons with disabilities, which was in the House version of the Governor's bill but was amended out of the Senate version. Last session, the legislature voted to invest in employment services and individualized supports to assist workers with disabilities find and retain jobs in which they earn at least minimum wage. Opponents of the bill say that 14(c) organizations will have to shut their doors if they are not allowed to pay their employees less than the minimum wage. However, we know this is not the case, as many 14(c) organizations have taken advantage of the funding made available last session and have or are working towards phasing out subminimum wages. There is a plan and help for organizations making the shift. In addition, eliminating 14(c) does not mean people with disabilities will be sitting home as most 14(c) workshops have day services. We urgently and respectfully ask that you support sunseting 14(c) certificates. All Minnesota employees deserve to make at least minimum wage for their work.

Thank you for the opportunity to submit written testimony on the Human Services Policy Omnibus Bill.

Sincerely,



Jennifer Purrington  
Legal Director/Deputy Director  
Minnesota Disability Law Center



Ellen Smart  
Staff Attorney  
Legal Aid

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