

1.1 moves to amend H.F. No. 257 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. [256B.0909] LONG-TERM CARE DECISION REVIEWS.

1.4 Subdivision 1. Opportunity to respond required. The lead agency shall initiate a
1.5 decision review if requested by a person or a person's legal representative within ten calendar
1.6 days of receiving an agency notice to deny, reduce, suspend, or terminate the person's access
1.7 to or eligibility for the following programs:

1.8 (1) home and community-based waivers, including level of care determinations, under
1.9 sections 256B.092 and 256B.49;

1.10 (2) specific home and community-based services available under sections 256B.092 and
1.11 256B.49;

1.12 (3) consumer-directed community supports;

1.13 (4) the following state plan services:

1.14 (i) personal care assistance services under section 256B.0625, subdivisions 19a and 19c;

1.15 (ii) consumer support grants under section 256.476; or

1.16 (iii) community first services and supports under section 256B.85;

1.17 (5) semi-independent living services under section 252.275;

1.18 (6) relocation targeted case management services available under section 256B.0621,
1.19 subdivision 2, clause (4);

1.20 (7) case management services targeted to vulnerable adults or people with developmental
1.21 disabilities under section 256B.0924;

(8) case management services targeted to people with developmental disabilities under Minnesota Rules, part 9525.0016; and

(9) necessary diagnostic information to gain access to or determine eligibility under clauses (5) to (8).

Subd. 2. **Decision review.** (a) A lead agency must schedule a decision review for any person who responds under subdivision 1 within ten calendar days of the request for review.

(b) The lead agency must conduct the decision review in a manner that allows an opportunity for interactive communication between the person and a representative of the lead agency who has specific knowledge of the proposed decision and the basis for the decision. The interactive communication must be in a format that is accessible to the recipient, and may include a phone call, a written exchange, an in-person meeting, or another format as chosen by the person or the person's legal representative, if any.

(c) During the decision review, the representative of the lead agency must provide a thorough explanation of the lead agency's intent to deny, reduce, suspend, or terminate eligibility or access to the services described in subdivision 1 and provide the person or the person's legal representative, if any, an opportunity to ask questions about the decision. If the lead agency's explanation of the decision is based on a misunderstanding of the person's circumstances, incomplete information, missing documentation, or similar missing or inaccurate information, the lead agency must provide the person or the person's legal representative, if any, an opportunity to provide clarifying or additional information.

(d) A person with a legal representative is not required to participate in the decision review. A person may also have someone of the person's choosing participate in the decision review.

Subd. 3. **Appeals.** If the lead agency ignores the request for review or does not schedule the review in at least ten calendar days prior to the hearing, the judge shall reschedule the hearing to allow for at least ten calendar days between the review and the hearing.

Sec. 2. **DIRECTION TO COMMISSIONER; NOTICE OF ACTION REVISION.**

By July 1, 2025, the commissioner of human services shall review and make changes to the Notice of Action form to incorporate the long-term care decision review process in Minnesota Statutes, section 256B.0909."

Amend the title accordingly