

1.1 Fischer from the Behavioral Health Policy Division to which was referred:

1.2 H. F. No. 1495, A bill for an act relating to human services; modifying mental health
1.3 services provisions; amending Minnesota Statutes 2020, sections 62A.152, subdivision 3;
1.4 62A.3094, subdivision 1; 62Q.096; 144.651, subdivision 2; 144D.01, subdivision 4; 144G.08,
1.5 subdivision 7, as amended; 148B.5301, subdivision 2; 148E.120, subdivision 2; 148F.11,
1.6 subdivision 1; 245.462, subdivisions 1, 6, 8, 9, 14, 16, 17, 18, 21, 23, by adding a subdivision;
1.7 245.4661, subdivision 5; 245.4662, subdivision 1; 245.467, subdivisions 2, 3; 245.469,
1.8 subdivisions 1, 2; 245.470, subdivision 1; 245.4712, subdivision 2; 245.472, subdivision
1.9 2; 245.4863; 245.4871, subdivisions 9a, 10, 11a, 17, 21, 26, 27, 29, 31, 32, 34, by adding
1.10 a subdivision; 245.4876, subdivisions 2, 3; 245.4879, subdivision 1; 245.488, subdivision
1.11 1; 245.4901, subdivision 2; 245.62, subdivision 2; 245.735, subdivision 3; 245A.04,
1.12 subdivision 5; 245A.10, subdivision 4; 245A.65, subdivision 2; 245D.02, subdivision 20;
1.13 254B.05, subdivision 5; 256B.0615, subdivisions 1, 5; 256B.0616, subdivisions 1, 3, 5;
1.14 256B.0622, subdivisions 1, 2, 3a, 4, 7, 7a, 7b, 7c, 7d; 256B.0623, subdivisions 1, 2, 3, 4,
1.15 5, 6, 9, 12; 256B.0624; 256B.0625, subdivisions 3b, 5, 19c, 28a, 42, 48, 49, 56a; 256B.0757,
1.16 subdivision 4c; 256B.0941, subdivision 1; 256B.0943, subdivisions 1, 2, 3, 4, 5, 5a, 6, 7,
1.17 9, 11; 256B.0946, subdivisions 1, 1a, 2, 3, 4, 6; 256B.0947, subdivisions 1, 2, 3, 3a, 5, 6,
1.18 7; 256B.0949, subdivisions 2, 4, 5a; 256B.25, subdivision 3; 256B.761; 256B.763; 256P.01,
1.19 subdivision 6a; 295.50, subdivision 9b; 325F.721, subdivision 1; proposing coding for new
1.20 law in Minnesota Statutes, chapter 256B; proposing coding for new law as Minnesota
1.21 Statutes, chapter 245I; repealing Minnesota Statutes 2020, sections 245.462, subdivision
1.22 4a; 245.4879, subdivision 2; 245.62, subdivisions 3, 4; 245.69, subdivision 2; 256B.0615,
1.23 subdivision 2; 256B.0616, subdivision 2; 256B.0622, subdivisions 3, 5a; 256B.0623,
1.24 subdivisions 7, 8, 10, 11; 256B.0625, subdivisions 5l, 35a, 35b, 61, 62, 65; 256B.0943,
1.25 subdivisions 8, 10; 256B.0944; 256B.0946, subdivision 5; Minnesota Rules, parts 9505.0370;
1.26 9505.0371; 9505.0372; 9520.0010; 9520.0020; 9520.0030; 9520.0040; 9520.0050;
1.27 9520.0060; 9520.0070; 9520.0080; 9520.0090; 9520.0100; 9520.0110; 9520.0120;
1.28 9520.0130; 9520.0140; 9520.0150; 9520.0160; 9520.0170; 9520.0180; 9520.0190;
1.29 9520.0200; 9520.0210; 9520.0230; 9520.0750; 9520.0760; 9520.0770; 9520.0780;
1.30 9520.0790; 9520.0800; 9520.0810; 9520.0820; 9520.0830; 9520.0840; 9520.0850;
1.31 9520.0860; 9520.0870.

1.32 Reported the same back with the following amendments:

1.33 Page 2, line 18, after "affect" insert "the staff qualifications or"

1.34 Page 10, line 1, delete "unethical acts or" and delete "(a) A license holder must have"

1.35 Page 10, delete lines 2 to 9

1.36 Page 10, line 10, delete "(b)"

- 2.1 Page 11, line 10, delete everything after "with" and insert "all applicable state and federal
- 2.2 law"
- 2.3 Page 11, delete lines 11 and 12
- 2.4 Page 11, line 13, delete everything before the period
- 2.5 Page 12, line 30, delete everything before "if"
- 2.6 Page 20, line 7, delete "safe"
- 2.7 Page 21, after line 3, insert:
- 2.8 "(c) A treatment supervisor must provide treatment supervision to a staff person using
- 2.9 methods that allow for immediate feedback, including in-person, telephone, and interactive
- 2.10 video supervision."
- 2.11 Page 21, line 4, delete "(c)" and insert "(d)"
- 2.12 Page 21, delete subdivision 2
- 2.13 Page 21, line 17, delete "3" and insert "2"
- 2.14 Page 21, delete lines 25 and 26
- 2.15 Page 21, line 27, delete "(3)" and insert "(2)"
- 2.16 Page 21, line 29, delete "(4)" and insert "(3)"
- 2.17 Page 21, line 30, after the semicolon, insert "and"
- 2.18 Page 21, delete lines 31 and 32
- 2.19 Page 22, delete line 1
- 2.20 Page 22, line 2, delete "(7)" and insert "(4)" and delete "a description of the staff"
- 2.21 Page 22, line 3, delete everything before "a"
- 2.22 Page 22, delete subdivision 4
- 2.23 Page 22, line 15, delete "5" and insert "3"
- 2.24 Page 23, after line 5, insert:
- 2.25 "(4) a description of the staff person's job responsibilities with the license holder;"
- 2.26 Page 23, line 6, delete "(4)" and insert "(5)"
- 2.27 Page 23, line 8, delete "(5)" and insert "(6)"
- 2.28 Page 23, line 10, delete "(6) documentation" and insert "(7) a verification copy"

- 3.1 Page 23, line 12, delete "(7)" and insert "(8)" and after the semicolon, insert "and"
- 3.2 Page 23, line 13, delete "(8)" and insert "(9)"
- 3.3 Page 23, line 15, delete "; and" and insert a period
- 3.4 Page 23, delete lines 16 and 17
- 3.5 Page 24, line 6, delete "promptly"
- 3.6 Page 25, lines 24 and 26, delete "seven" and insert "five"
- 3.7 Page 27, line 3, delete "the license holder's"
- 3.8 Page 31, line 32, delete "clause (8)" and insert "paragraph (b)"
- 3.9 Page 32, line 1, before "After" insert "(a)"
- 3.10 Page 32, line 29, before "If" insert "(b)" and after "document" insert "in"
- 3.11 Page 32, line 30, delete the first "with"
- 3.12 Page 36, line 7, delete "promptly"
- 3.13 Page 37, lines 9 and 12, after "receipt" insert "or disbursement"
- 3.14 Page 38, line 9, delete everything after "grievance"
- 3.15 Page 38, line 10, delete everything before the period
- 3.16 Page 39, line 7, delete "certified by the commissioner" and insert "listed under section
- 3.17 245I.011, subdivision 5"
- 3.18 Page 39, line 30, delete everything after "provides" and insert "treatment team members
- 3.19 with face-to-face or telephone access to a mental health professional for the purposes of
- 3.20 supervision"
- 3.21 Page 40, line 8, after "week" insert "each"
- 3.22 Page 40, delete lines 26 to 29
- 3.23 Page 40, line 30, delete "(e)" and insert "(d)"
- 3.24 Page 42, line 15, after the semicolon, insert "and"
- 3.25 Page 42, delete line 16
- 3.26 Page 42, line 17, delete "(7)" and insert "(6)"
- 3.27 Page 42, line 27, delete "respond to" and insert "act on"
- 3.28 Page 43, lines 21 and 27, delete "mental health clinic" and insert "certification holder"

4.1 Page 43, line 26, delete "employed by" and insert "of"

4.2 Page 43, line 27, before the comma, insert "and grounds"

4.3 Page 43, line 28, before "records" insert "documentation and"

4.4 Page 44, line 4, delete "clinic's" and insert "certification holder's"

4.5 Page 44, after line 5, insert:

4.6 "(b) The commissioner must offer the certification holder a choice of dates for an
4.7 announced certification review. A certification review must occur during the clinic's normal
4.8 working hours."

4.9 Page 44, line 6, delete "(b)" and insert "(c)"

4.10 Page 45, line 24, delete "mental health clinic requests reconsideration of" and insert
4.11 "certification holder appeals"

4.12 Page 45, after line 27, insert:

4.13 "Subd. 15. **Transfer prohibited.** A certification issued under this chapter is only valid
4.14 for the premises and the individual, organization, or government entity identified by the
4.15 commissioner on the certification. A certification is not transferable or assignable.

4.16 Subd. 16. **Notifications required and noncompliance.** (a) A certification holder must
4.17 notify the commissioner, in a manner prescribed by the commissioner, and obtain the
4.18 commissioner's approval before making any change to the name of the certification holder
4.19 or the location of the mental health clinic.

4.20 (b) Changes in mental health clinic organization, staffing, treatment, or quality assurance
4.21 procedures that affect the ability of the certification holder to comply with the minimum
4.22 standards of section 245I.20 must be reported in writing by the certification holder to the
4.23 commissioner within 15 days of the occurrence. Review of the change must be conducted
4.24 by the commissioner. A certification holder with changes resulting in noncompliance in
4.25 minimum standards must receive written notice and may have up to 180 days to correct the
4.26 areas of noncompliance before being decertified. Interim procedures to resolve the
4.27 noncompliance on a temporary basis must be developed and submitted in writing to the
4.28 commissioner for approval within 30 days of the commissioner's determination of the
4.29 noncompliance. Not reporting an occurrence of a change that results in noncompliance
4.30 within 15 days, failure to develop an approved interim procedure within 30 days of the
4.31 determination of the noncompliance, or nonresolution of the noncompliance within 180
4.32 days will result in immediate decertification.

5.1 (c) The mental health clinic may be required to submit written information to the
5.2 department to document that the mental health clinic has maintained compliance with the
5.3 rule and mental health clinic procedures."

5.4 Page 49, line 25, delete "the license holder" and insert "a mental health professional or
5.5 certified rehabilitation specialist"

5.6 Page 52, delete subdivision 14 and insert:

5.7 "Subd. 14. **Weekly team meetings.** (a) The license holder must hold weekly team
5.8 meetings and ancillary meetings according to this subdivision.

5.9 (b) A mental health professional or certified rehabilitation specialist must hold at least
5.10 one team meeting each calendar week and be physically present at the team meeting. All
5.11 treatment team members, including treatment team members who work on a part-time or
5.12 intermittent basis, must participate in a minimum of one team meeting during each calendar
5.13 week when the treatment team member is working for the license holder. The license holder
5.14 must document all weekly team meetings, including the names of meeting attendees.

5.15 (c) If a treatment team member cannot participate in a weekly team meeting, the treatment
5.16 team member must participate in an ancillary meeting. A mental health professional, certified
5.17 rehabilitation specialist, clinical trainee, or mental health practitioner who participated in
5.18 the most recent weekly team meeting may lead the ancillary meeting. During the ancillary
5.19 meeting, the treatment team member leading the ancillary meeting must review the
5.20 information that was shared at the most recent weekly team meeting, including revisions
5.21 to client treatment plans and other information that the treatment supervisors exchanged
5.22 with treatment team members. The license holder must document all ancillary meetings,
5.23 including the names of meeting attendees."

5.24 Page 54, line 11, delete everything after "(a)" and insert "When a license holder discharges
5.25 a client from a program, the license holder must categorize the discharge as a successful
5.26 discharge, program-initiated discharge, or non-program-initiated discharge according to the
5.27 criteria in this subdivision. The license holder must meet the standards associated with the
5.28 type of discharge according to this subdivision."

5.29 Page 54, delete line 12

5.30 Page 54, before line 13, insert:

5.31 "(b) To successfully discharge a client from a program, the license holder must ensure
5.32 that the following criteria are met:"

5.33 Page 54, line 18, delete "(b)" and insert "(c)"

- 6.1 Page 54, line 30, delete "(c)" and insert "(d)"
- 6.2 Page 55, line 9, delete "(d)" and insert "(e)"
- 6.3 Page 55, line 16, delete "(e)" and insert "(f)"
- 6.4 Page 56, line 1, delete "(f)" and insert "(g)"
- 6.5 Page 56, line 11, delete "(g)" and insert "(h)"
- 6.6 Page 56, line 19, delete everything after "(4)" and insert "recommended actions, supports,
- 6.7 and services that will assist the client with a successful"
- 6.8 Page 56, line 20, delete "successfully"
- 6.9 Page 57, line 7, delete everything after the period
- 6.10 Page 57, delete line 8
- 6.11 Page 57, line 9, delete "location."
- 6.12 Page 57, line 32, after the semicolon, insert "and"
- 6.13 Page 58, delete line 1
- 6.14 Page 58, line 2, delete "(7)" and insert "(6)"
- 6.15 Page 60, line 14, delete "245I.07" and insert "245I.10, subdivision 8"
- 6.16 Page 70, line 17, before "County" insert "(a)"
- 6.17 Page 71, after line 3, insert:
- 6.18 "(b) If a county provides engagement services under section 253B.041, the county's
- 6.19 emergency service providers must refer clients to engagement services when the client
- 6.20 meets the criteria for engagement services."
- 6.21 Page 73, line 12, after "stabilization" insert "for adults"
- 6.22 Page 77, line 11, after the second "recipient" insert "or family member"
- 6.23 Page 77, line 17, after "enforcement" insert ", engagement services"
- 6.24 Page 77, line 23, after "recipient" insert "or parent or guardian"
- 6.25 Page 79, line 7, delete "a recipient" and insert "children and adults"
- 6.26 Page 83, line 31, delete "a recipient" and insert "children and adults"
- 6.27 Page 106, line 14, after "assist a" insert "child and the"
- 6.28 Page 106, line 15, delete everything after "from" and insert "mobile"

- 7.1 Page 107, line 6, delete "and" and insert "or"
- 7.2 Page 122, line 23, strike "requesting certification"
- 7.3 Page 122, line 24, strike "under"
- 7.4 Page 122, line 25, before "section" insert "certified under" and strike "a" and insert "an
- 7.5 annual nonrefundable" and strike "per year" and strike "mental"
- 7.6 Page 122, line 26, strike "health center or"
- 7.7 Page 144, delete section 64
- 7.8 Page 154, line 20, delete "5" and insert "3"
- 7.9 Page 166, line 31, strike "clinical" and insert "treatment"
- 7.10 Page 185, line 21, delete "245I.04, subdivisions 6 and 7" and insert "245I.10, subdivisions
- 7.11 7 and 8"
- 7.12 Renumber the sections in sequence
- 7.13 Correct the title numbers accordingly
- 7.14 With the recommendation that when so amended the bill be returned to the Committee
- 7.15 on Human Services Finance and Policy.

7.16 This Division action taken March 3, 2021

7.17, Chair