

1.1 moves to amend H.F. No. 4466, the delete everything amendment
1.2 (H4466DE1), as follows:

1.3 Page 39, after line 21, insert:

1.4 "Sec. Minnesota Statutes 2024, section 256B.05, is amended by adding a subdivision
1.5 to read:

1.6 Subd. 6. **Duty to intervene.** The commissioner must require county agencies to report
1.7 to the commissioner each month on all missed applications and redetermination deadlines.
1.8 If a county misses 20 percent of the deadlines, the county must request the commissioner's
1.9 assistance in processing the outstanding applications and redeterminations.

1.10 **EFFECTIVE DATE.** This section is effective January 1, 2027."

1.11 Page 43, delete section 10 and insert:

1.12 "Sec. **[256B.0562] COMMUNITY ENGAGEMENT REQUIREMENTS.**

1.13 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
1.14 the meanings given.

1.15 (b) "Applicable individual" means an individual eligible for medical assistance under
1.16 section 256B.055, subdivision 15 who is not:

1.17 (1) a specifically excluded individual, which includes medically frail individuals;

1.18 (2) a recipient of a state public assistance program that requires an assessment of a
1.19 recipient's ability to work; or

1.20 (3) experiencing a short-term hardship.

1.21 (c) "Demonstrate community engagement" means compliance with the conditions
1.22 described in United States Code, title 42, section 1396a(xx)(2).

2.1 (d) "Excluded or exempt individual" means an otherwise applicable individual who is
2.2 excluded or exempt from demonstrating community engagement.

2.3 (e) "Medically frail" has the meaning given in United States Code, title 42, section
2.4 1396a(xx)(9)(ii)(V), and includes an adult:

2.5 (1) with a dependent child 21 years of age or younger with a disabling mental disorder,
2.6 including but not limited to a child with serious emotional disturbances;

2.7 (2) who has a condition described in sections 245G.01, subdivision 23 or 256B.0623,
2.8 subdivision 3, paragraph (3);

2.9 (3) who is a victim of domestic abuse, as defined in section 518B.01, subdivision 2, or
2.10 sexual assault, as is described in sections 609.342 to 609.3451;

2.11 (4) who is developmentally disabled, as defined in Minnesota Rules, part 9525.0016,
2.12 subpart 2, items A to E;

2.13 (5) who is chronically homeless, as defined in section 327.30;

2.14 (6) who meets the eligibility criteria under section 256D.05, subdivision 1; or

2.15 (7) who has any other acute or chronic physical, behavioral, or mental health condition
2.16 or permanent or temporary illness, injury, or incapacity.

2.17 (f) "Reliable data sources" include but are not limited to any state or federal agency,
2.18 medical assistance providers, employers, managed care plans, institutions of higher learning,
2.19 job training programs, or financial institutions.

2.20 (g) "Specifically excluded individuals" has the meaning given in United States Code,
2.21 title 42, section 1396a(xx)(3)(B)(ii).

2.22 Subd. 2. **Applicable individuals subject to community engagement**
2.23 **requirements.** Only applicable individuals are required to demonstrate community
2.24 engagement under this section.

2.25 Subd. 3. **Exclusions.** The commissioner must deem an applicable individual as having
2.26 demonstrated community engagement for the month prior to application for medical
2.27 assistance or any month during the period between application and redetermination if the
2.28 applicable individual is a specifically excluded individual. The commissioner must accept
2.29 self-attestation of eligibility for an exclusion under this subdivision.

2.30 Subd. 4. **Short-term hardship exemption.** (a) The commissioner must deem an
2.31 applicable individual as meeting the community engagement requirements for a given month
2.32 if for part or all of the month the applicable individual:

3.1 (1) requests an exemption on the basis of receiving inpatient hospital services, nursing
3.2 facility services, services in an intermediate care facility for persons with developmental
3.3 disabilities, inpatient psychiatric hospital services, or such other services of similar acuity,
3.4 including but not limited to outpatient care relating to the above-listed services, in accordance
3.5 with guidance issued by the United States Department of Health and Human Services;

3.6 (2) requests an exemption on the basis of having to travel outside of the individual's
3.7 community for an extended period of time to receive medical services necessary to treat a
3.8 serious or complex medical condition, either for the individual or the individual's dependent,
3.9 when the services are not available in the individual's community of residence;

3.10 (3) resides in a county or equivalent unit of local government in which an emergency
3.11 or disaster has been declared under the National Emergencies Act or the Robert T. Stafford
3.12 Disaster Relief and Emergency Assistance Act;

3.13 (4) resides in an area reported in the Local Area Unemployment Statistics published by
3.14 the Department of Employment and Economic Development that has an unemployment
3.15 rate that is at or above the lesser of eight percent or 1.5 times the national unemployment
3.16 rate, and for which the United States Department of Health and Human Services has granted
3.17 an exception based on a request from the commissioner; or

3.18 (5) is presumptively eligible for medical assistance under Code of Federal Regulations,
3.19 title 42, section 1101 at application or at any time during the period between acceptance of
3.20 an application and redetermination.

3.21 (b) The commissioner must accept self-attestation of eligibility for a short-term hardship
3.22 exemption under this subdivision.

3.23 (c) The commissioner must request an exception from the United States Department of
3.24 Health and Human Services to include the condition listed under paragraph (a), clause (4)
3.25 immediately upon this section becoming effective.

3.26 Subd. 5. **Redetermination of eligibility for medical assistance.** The commissioner
3.27 must redetermine eligibility six months following the acceptance of an application for
3.28 medical assistance and every six months thereafter for applicable, excluded, and exempt
3.29 individuals. Upon redetermination, the commissioner must deem excluded and exempted
3.30 individuals as having demonstrated community engagement in any month between acceptance
3.31 for medical assistance and the initial redetermination or during a subsequent six months
3.32 following a redetermination.

4.1 Subd. 6. Ex parte verification. (a) The commissioner must establish an ex parte review
4.2 process to verify whether an applicable individual has demonstrated community engagement.
4.3 The commissioner must rely on information in the individual case record, data matching,
4.4 and information obtained through other reliable data sources.

4.5 (b) Notwithstanding paragraph (a), the commissioner is prohibited from relying on
4.6 managed care plans, county-based purchasing plans, or contractors with direct or indirect
4.7 financial relationships with managed care or county-based purchasing plans to make
4.8 determinations about whether an individual is in compliance with the community engagement
4.9 requirements. Nothing prevents the commissioner from using these sources to determine
4.10 or redetermine whether an individual is required to demonstrate community engagement
4.11 or whether an individual is an excluded or exempt individual.

4.12 (c) If an individual attests to being excluded or exempt from the requirement to
4.13 demonstrate community engagement, the commissioner must follow the ex parte verification
4.14 procedure under this subdivision. The commissioner must not request additional information
4.15 or documentation from an applicable, excluded, or exempt individual, unless the
4.16 commissioner is unable to make a determination using the information available to the
4.17 commissioner from the reliable sources. If the commissioner is unable to make a
4.18 determination or redetermination, the commissioner must provide the individual with a
4.19 written explanation as to why a determination was not possible. The written explanation
4.20 must include the eligibility information that was available to the agency and a form on which
4.21 the individual may submit corrections, additional information, or a self-attestation of
4.22 compliance with community engagement requirements or exclusion or exemption from
4.23 those requirements.

4.24 (d) The commissioner must develop and maintain an online portal where an individual's
4.25 information can be uploaded, viewed, and stored to demonstrate community engagement.

4.26 Subd. 7. Noncompliance; commissioner responsibilities. (a) If an applicable, excluded,
4.27 or exempt individual is not able to provide proof of compliance, exclusion, or exemption,
4.28 the commissioner must provide notice of noncompliance and allow the individual 30 calendar
4.29 days from the date the notice is received to demonstrate compliance with the requirements
4.30 or show why compliance is not required, as applicable. An enrolled individual continues to
4.31 be eligible for medical assistance until there is a final determination that the individual is
4.32 ineligible for medical assistance.

4.33 (b) The notice must include information regarding:

5.1 (1) how to demonstrate compliance with or an exclusion or exemption from community
5.2 engagement requirements; and

5.3 (2) how to reapply for medical assistance if the individual's application is denied or the
5.4 individual is disenrolled.

5.5 (c) If the applicable individual is unable to show compliance with the community
5.6 engagement requirements, or show that the individual is excluded or exempted from the
5.7 requirements, the commissioner must determine or redetermine whether the individual has
5.8 any other basis for eligibility for medical assistance or another insurance affordability
5.9 program, and, if eligible, notify the individual of their eligibility and take steps to transfer
5.10 the individual to the program.

5.11 (d) If the commissioner determinates that an individual is subject to but not compliant
5.12 with the community engagement requirements after the 30-day period, and is not eligible
5.13 for any other program, the commissioner must:

5.14 (1) provide written notice and fair hearing rights in accordance with Code of Federal
5.15 Regulations, title 42, part 431, subpart E; and

5.16 (2) deny the application or suspend medical assistance benefits, as applicable, by the
5.17 end of the month that follows the 30-day period.

5.18 (e) The commissioner must reinstate medical assistance benefits on the first day of the
5.19 month following the month in which the individual demonstrates compliance with the
5.20 community engagement requirements.

5.21 Subd. 8. **Implementation and outreach.** (a) Unless a delay is requested from and granted
5.22 by the United States Secretary of Health and Human Services, the commissioner must
5.23 implement this section by January 1, 2027.

5.24 (b) No later than September 1, 2026, and subsequently no later than four months prior
5.25 to an individual's redetermination date, the commissioner must provide a notice to applicable
5.26 individuals that contains the following information:

5.27 (1) a definition of applicable individuals;

5.28 (2) a description of each category of excluded individuals;

5.29 (3) a description of what constitutes a short-term hardship;

5.30 (4) how to assert an exclusion or exemption, including the process to self-attest and what
5.31 information must be submitted to demonstrate eligibility for an exclusion or a short-term
5.32 hardship exemption;

6.1 (5) how to report changes in status that could result in an individual qualifying to be an
6.2 excluded or exempt individual; and

6.3 (6) any other information that the commissioner deems appropriate.

6.4 (c) If a delay under paragraph (a) is requested and granted, the notice must be sent no
6.5 later than four months prior to implementation of the requirements under this section.

6.6 Subd. 9. **Additional resources for applicants and recipients.** The commissioner must
6.7 work with counties and nonprofit community organizations to connect applicable individuals
6.8 to resources for job training, employment services, child care assistance, transportation, and
6.9 requesting reasonable accommodations or other supports to help applicable individuals
6.10 prepare for work."

6.11 Renumber the sections in sequence and correct the internal references