

HOUSE RESEARCH

Bill Summary

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Overview

This bill contains a number of initiatives to reduce or eliminate the waiting list for the home and community-based waiver for persons with mental retardation or related conditions (MR/RC waiver). The bill requires counties to submit requests for funding and plans to increase the resources used for the MR/RC waiver program, and directs the commissioner of human services to seek a federal waiver to allow waiver services recipients to directly receive funds to allow them to meet their long-term care needs. The bill also appropriates additional money for the MR/RC waiver and other community-based services.

- 1 Expansion of home and community-based services; management and allocation responsibilities.** Amends 256B.0916. Requires the commissioner of human services and counties to take steps to increase the availability of services under the MR/RC waiver. Strikes paragraphs (a) through (d) of section 256B.0916 and adds the seven new subdivisions summarized below. Paragraphs (a) through (c) contain obsolete language related to the transfer of semi-independent living services to home and community based services. Paragraph (d) is replaced by subdivision 7.

Subd. 1. Reduction of waiting list. (a) Provides findings related to the waiting list for the MR/RC waiver.

(b) Requires the waiting list for the program to be reduced or eliminated by June 30, 2003, and requires funding to be increased to add 500 additional persons each year to the MR/RC waiver for the period July 1, 1999 to June 30, 2003.

Subd. 2. Distribution of funds; partnerships. (a) Requires the commissioner, beginning in FY 2000, to distribute all funding for the MR/RC waiver to individual counties or groups of counties that form partnerships, and to encourage counties to form partnerships with a sufficient number of recipients and funding to adequately manage risk and maximize use of available resources.

(b) Requires counties to submit a request for funds and a plan for administering the

program. Specifies plan requirements.

(c) In allocating resources, requires priority to be given to groups of counties that form partnerships and to counties determined by the commissioner to have sufficient waiver capacity to maximize resource use.

(d) Requires the commissioner to provide a written response to county funding requests and plans, within 30 days of receipt.

(e) States that counties determined to have sufficient capacity, and groups of counties in partnership, are eligible to receive MA reimbursement for administrative costs.

Subd. 3. Failure to develop partnerships or submit a plan. (a) Requires the commissioner to notify the county board if a county determined by the commissioner to have insufficient capacity fails to develop a partnership or submit a plan, and to provide technical assistance to the county or group of counties that fails to form a partnership or submit a plan. If a county has not joined a partnership or submitted a plan within 30 days of this notice, directs the commissioner to require and assist the county to develop a plan or contract with a county or group of counties to plan and administer the waiver services program in that county.

(b) Allows counties to request technical and other assistance from the commissioner at any time, and requires the commissioner to respond to requests within 30 days.

Subd. 4. Reserve account. Allows counties or groups of counties that have submitted a plan to develop a reserve account to meet crises and other unmet needs of waiver recipients. Specifies reserve requirements.

Subd. 5. Priorities for reassignment of resources and approval of increased capacity.

Requires the commissioner, in order to maximize the number of persons served with waiver funds, to monitor county utilization of allocated resources, reassign resources not utilized, and approve increased capacity within county allocations. Specifies priorities for reassignment of resources and increased capacity.

Subd. 6. Waiver request. (a) Requires the commissioner to request a federal waiver to include an option that would allow waiver recipients to directly receive 95 percent of the funds that would be allocated to individuals.

(b) Requires the commissioner, in cooperation with other parties, to develop criteria related to this waiver request.

(c) If the waiver is approved and implemented, requires unspent money to be used to meet the needs of other eligible persons waiting for services.

(d) Requires the commissioner, in consultation with other parties, to evaluate the effectiveness of this option within two years of implementation.

Subd. 7. Annual report by commissioner. Requires the commissioner to report each October 1 on county and state use of resources for the MR/RC waiver, and specifies report contents.

Subd. 8. Financial information by county. This subdivision contains the language currently in paragraph (e) of section 256B.0916.

2 Report on alternative resource allocation methods. Requires the commissioner of human services, in consultation with specified parties, to consider and evaluate administrative methods other than the current resource allocation system for the MR/RC waiver, and to report to the chairs of the house health and human services finance committee and the senate health and family security budget division by February 1, 2000.

3 Appropriation. Appropriates money from the general fund to the commissioner of human services for the next biennium for the MR/RC waiver, semi-independent living services, family support grants, county administrative costs, and county technical assistance. Allows unspent

money to carryover to FY 2001, and provides that the appropriations become part of base-level funding.

- 4** **Repealer.** Repeals Laws 1997, chapter 203, article 7, section 27. (This section refers to requests for amendments to the MR/RC waiver that have been approved by the federal government.)