

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Albright

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**Analyst:** Lynn Aves

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### Overview

Among other things, this bill creates a leadership council to advise the commissioner of human services, allows the use of unmarked cars by tobacco inspectors, and allows the commissioner to enter into contracts with tribes and the Indian Health Service to provide services and receive payment for treatment of tribal members who are civilly committed.

#### Section

- 1 Vehicles exempt from tax, fees, or plate display.** Amends § 168.012, subd. 1. Allows the commissioner of human services to have unmarked vehicles for the use of inspector staff when performing tobacco inspections, investigations, and surveillance. Establishes requirements for original and renewal applications.
- 2 Expenses.** Amends § 245C.10, by adding subd. 1a. Provides that the requirements for employer required background studies in section 181.645 do not apply to background studies completed under 245C (human services background studies).
- 3 Cost of care; commitment by tribal court order; any federally recognized Indian tribe within the state of Minnesota.** Amends § 253B.212, by adding subd. 1b. Allows the commissioner of human services to contract with the Indian Health Service to receive payment for the care and treatment of members of Indian tribes who have been civilly committed by tribal court order to the Indian Health Service. Allows a tribe to contract directly with the commissioner. Requires the tribal court commitment process to include all required due process protections.
- 4 Effect given to tribal court order.** Amends § 253B.212, by amendment subd. 2. Adds cross references to newly created 253B.212, subd. 1b. (Section 3 of this bill.)

## Section

### **5 Cultural and ethnic communities leadership council.** Creates § 256.041.

**Subd. 1. Establishment; purposes.** Establishes the Cultural and Ethnic Communities Leadership Council to advise the commissioner of human services on methods to reduce racial and ethnic disparities.

**Subd. 2. Members.** Lists the criteria for appointment as a member of the council.

**Subd. 3. Guidelines.** Instructs the commissioner, in consultation with specified legislative members and stakeholders, to develop guidelines for membership on the council and duties of the commissioner and members of the council.

**Subd. 4. Chair.** Requires the commissioner to appoint the council chair.

**Subd. 5. Terms for first appointees.** Provides that the terms for the first appointees expire January 15, 2016.

**Subd. 6. Terms.** Provides that terms are for two years and that appointees may be reappointed to two additional terms. Requires the commissioner to make appointments by January 15 each year.

**Subd. 7. Duties of the commissioner.** Lists the duties of the commissioner.

**Subd. 8. Duties of the council.** Lists the duties of the council.

**Subd. 9. Duties of the council members.** Lists the duties of the council members.

**Subd. 10. Expiration.** Provides that the council expires on June 30, 2020.

States that this section is effective retroactively from March 15, 2015.

### **6 Documentation required.** Amends § 256B.0625, by adding subd. 17b. Adds documentation requirements that must be maintained and collected by providers of nonemergency medical transportation.

### **7 Compliance with Indian Child Welfare Act and Minnesota Family Preservation Act.** Amends § 260C.168. Adds that in addition to complying with the requirements of the federal Indian Child Welfare Act, application of the provisions of chapter 260C must also comply with the Minnesota Indian Family Preservation Act.

### **8 Publicly owned and leased vehicles identified.** Amends § 471.346. Excludes vehicles used by DHS for investigations conducted by central office staff and county or contract staff conducting county fraud investigations from the requirement for use of marked vehicles.

### **9 Obsolete rules regarding prior authorizations for medical supplies and equipment.**

Paragraph (a) instructs the commissioner to remove from Minnesota Rules the prior authorization requirements for certain durable and nondurable medical equipment.

Paragraph (b) instructs the commissioner to remove from Minnesota Rules the prior authorization requirement for certain ambulatory aids.

Paragraph (c) allows the commissioner to use the good cause exemption to adopt rules under this section.