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## Overview

This bill establishes new employment services under the medical assistance (MA) HCBS waivers.

HCBS offers service options that allow people to live in the community instead of going into or staying in an institutional setting. HCBS covers two types of services: (1) services necessary to avoid institutionalization that are not offered in Minnesota's MA state plan; and (2) services that are extensions of Minnesota's MA state plan services.

Minnesota has four HCBS disability waivers:

- community access for disability inclusion (CADI), which provides services for individuals with disabilities who need the level of care provided in a nursing home;
- brain injury (BI), which provides services for individuals with brain injury who need the level of care provided in a nursing home or neurobehavioral hospital;
- developmental disabilities or related conditions (DD), which provides services for individuals with developmental disabilities or related conditions who need the same level of care as provided in an ICF/DD; and
- community alternative care (CAC), which provides services for individuals with chronic illness who need the level of care provided in a hospital.

## Section

- 1       **Applicability.** Amends § 245D.03, subd. 1. Modifies the list of employment services that are governed by the HCBS standards chapter of statutes to include the new employment services.
- 2       **Day training and habilitation services for adults with developmental disabilities.**  
Amends § 252.41, subd. 3. Modifies the definition of “day training and habilitation services for adults with developmental disabilities” by removing supported employment from the list of services. Specifies that day training and habilitation services do not include the new employment services. Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 3       **Service principles.** Amends § 252.42. Modifies the list of service principles for day training and habilitation services.
- 4       **Vendor participation and reimbursement.** Amends § 252.451, subd. 2. Makes conforming changes to terminology.
- 5       **Agreement specifications.** Amends § 252.451, subd. 3. Expands eligibility for employment services to include persons with physical disabilities.
- 6       **Vendor payment.** Amends § 252.451, subd. 5. Makes conforming changes.
- 7       **New services.** Amends § 256B.4913, by adding subd. 7. Specifies that services added to the disability waiver rate system (DWRS) after January 1, 2014, are not subject to the rate stabilization adjustment. Makes this section effective the day following final enactment.
- 8       **Applicable services.** Amends § 256B.4914, subd. 3. Adds the new employment services to the list of services governed by the DWRS. Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 9       **Base wage index and standard component values.** Amends § 256B.4914, subd. 5. Specifies the base wage index calculation under the DWRS for the new employment services. Modifies certain component values under DWRS. Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 10      **Payments for unit-based services with programming.** Amends § 256B.4914, subd. 8. Adds the new employment services to the unit-based services with programming category, modifies the calculation for the personnel hourly wage rate for unit-based services with programming, and increases the limit on the number of people who can share employment services. Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 11      **Budget neutrality adjustments.** Amends § 256B.4914, subd. 16. Modifies the budget neutrality adjustment factor for unit-based services with programming. Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 12      **Federal waiver amendments.** Requires the commissioner of human services to submit necessary waiver amendments to the Centers for Medicare and Medicaid Services to add the new employment services to the HCBS waivers, and to submit necessary waiver

**Section**

amendments to remove community-based employment from day training and habilitation and prevocational services. Requires the commissioner to submit the necessary waiver amendments by October 1, 2017. Makes this section effective the day following final enactment.

- 13**      **Repealer.** Repeals Minnesota Statutes, section 252.41, subd. 8 (definitions; supported employment).