

Subject Substance use disorder services and related provisions

Authors Frederick and others

Analyst Sarah Sunderman

Date March 7, 2023

Overview

This bill contains provisions related to government records for certain individuals who have completed substance use disorder (SUD) treatment, treatment plan review requirements, transition follow-up counseling, workforce and rate increases and requirements, SUD treatment effectiveness data, and transition support services.

Summary

Section	Description
1	<p>Certified birth record for persons eligible for medical assistance.</p> <p>Proposes coding for § 144.2256. Specifies the procedure by which an MA eligible individual who has been treated for SUD within the last 12 months may apply to the state registrar or local issuance office and receive a certified birth record, or statement of no vital record found; requires statement of eligibility; specifies data classification.</p>
2	<p>Birth record fees waived for people treated for substance use disorder.</p> <p>Amends § 144.226, by adding subdivision 9. Provides that a subject of a birth record who is eligible for MA and has been treated for an SUD within the past 12 months shall not be charged any fees for a certified birth record or statement of no vital record found.</p> <p>Makes this section effective January 1, 2024.</p>
3	<p>Application; identification card or copy of driver's license.</p> <p>Amends § 171.06, by adding subdivision 8. Specifies the procedure by which an MA eligible individual who has been treated for an SUD within the last 12 months may apply to the commissioner of public safety or driver's license agent and receive an identification card or driver's license, and have all fees waived.</p>

Section	Description
4	<p>Treatment plan review.</p> <p>Amends § 245G.06, subdivision 3. Removes treatment services documentation requirements; modifies treatment plan review requirement from weekly or after each service to at least every 28 days, when there is a significant change, or at a client’s request.</p> <p>Makes this section effective August 1, 2023.</p>
5	<p>Transition follow-up counseling.</p> <p>Amends § 245G.07, by adding subdivision 1a. Allows clients discharged from a treatment center to receive, upon client request, individual transition follow-up counseling from that treatment center, for up to one year following discharge. Specifies service criteria and allows providers to bill for the service at the same rate as for individual counseling sessions. Limits counseling to four sessions per month. Specifies documentation requirements and requires prepaid medical assistance plans to allow members to access this benefit.</p> <p>Makes this section effective January 1, 2024.</p>
6	<p>Rate requirements.</p> <p>Amends § 254B.05, subdivision 5. Makes technical and clarifying changes; specifies that a license holder that is unable to provide all residential treatment services because a client missed services remains eligible to bill for the client’s service intensity level, under certain circumstances. Allows for treatment week hours to be reduced for federal holidays. Modifies provision for counseling staff to meet certain criteria for programs serving individuals with co-occurring disorders, so that one full-time equivalent or 25 percent of the counseling staff need to meet criteria. Removes language limiting the number of students or licensing candidates.</p>
7	<p>Substance use disorder treatment effectiveness.</p> <p>Amends § 254B.051. Makes technical changes; requires all data collected by the commissioner from SUD treatment providers to be made available to providers. Specifies requirements the commissioner must follow in making this data available, including making the data available at least annually and allowing providers to compare their performance against other providers.</p>
8	<p>Temporary rate increase.</p> <p>Amends § 254B.12 by adding subdivision 5. Requires 24 percent rate increase for specified SUD treatment services provided on or after July 1, 2023. Specifies that this rate increase remains in effect until the new comprehensive rate framework for substance use disorder residential and outpatient services is implemented. Requires</p>

Section	Description
---------	-------------

the commissioner to provide an annual report to the legislature by February 1, 2024, on the status of the framework implementation.

Specifies that the subdivision expires the day following the implementation of the new comprehensive rate framework.

9 Substance use disorder direct care staff increase.

Amends § 254B.12 by adding subdivision 6. Requires at least 33 percent of the 24 percent rate increase under subdivision 5 to be used to increase compensation-related costs for employees directly employed by an SUD treatment program on or after July 1, 2023; lists what “compensation-related costs” includes and does not include.

Requires providers receiving an increased rate under this subdivision and subdivision 5 to prepare, and upon request submit to the commissioner, a distribution plan specifying the amount of money the provider expects to receive and how the money will be distributed. Requires providers to post distribution plans within 60 days, in an accessible location.

Makes this section effective January 1, 2024, or upon federal approval, whichever is later.

10 Direction to the commissioner; transition support services recommendations.

Requires the commissioner of human services, in consultation with stakeholders, to develop recommendations related to transition support services for persons who have completed a substance use disorder treatment program that required 15 or more hours of treatment services per week and who receive medical assistance or services through the behavioral health fund.

Lists stakeholder requirements and components of transition support services on which the commissioner must make recommendations. Requires the commissioner's funding recommendations to maximize existing federal and state funding sources and specifies that the recommendations may not count federal and state benefits as income for the purposes of qualifying for public assistance programs.

By December 1, 2023, requires the commissioner to complete and submit a report to the legislature on the recommendations.



Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155