

Subject DHS Human Services Policy Bill

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Date April 9, 2024

Overview

This bill is the human services policy bill and contains provisions related to disability services; deaf, deafblind, and hard-of-hearing services; phasing out the special minimum wage for persons with disabilities; aging services; substance use disorder services; direct care and treatment; and eliminating expired mandated legislative reports.

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Article 1: Disability Services

This article exempts certain licensed facilities from local government rental licensing regulations, modifies home and community-based service standards provisions, clarifies form usage for home and community-based waiver services, modifies PCA and CFSS remote reassessment requirements, aligns CFSS language with federal requirements, modifies MA-EPD income review and documentation requirements, prohibits lead agencies from including additional requirements or processes that could result in the delay of approval or implementation of technology for people on the MA disability waivers, and allows for remote worker training and development services under CFSS.

Section Description - Article 1: Disability Services

- 1 Local laws apply.**
Amends § 144G.45, subd. 3. Exempts assisted living facilities with a licensed resident capacity of six or fewer from rental licensing regulations imposed by any town, municipality, or county.
- 2 Permitted single-family residential use.**
Amends § 245A.11, subd. 2. Removes obsolete language. Exempts community residential settings with a licensed resident capacity of six or fewer that are actively serving residents for which they are licensed from rental licensing regulations imposed by any town, municipality, or county.
- 3 Assessment and initial service planning.**
Amends § 245D.071, subd. 3. Modifies timelines for license holders to complete assessments under the chapter of statutes governing home and community-based service standards. Changes the “45-day planning meeting” to the “initial planning meeting.”
- 4 Service outcomes and supports.**
Amends § 245D.071, subd. 4. Makes conforming changes.
- 5 Coordination and evaluation of individual service delivery.**
Amends § 245D.081, subd. 2. Modifies education and work experience requirements that must be met to be a designated coordinator.
- 6 Program management and oversight.**
Amends § 245D.081, subd. 3. Modifies the supervisory experience requirement that must be met to be a designated manager.

Section Description - Article 1: Disability Services

7 Staff qualifications.

Amends § 245D.09, subd. 3. Removes language prohibiting staff under 18 years of age from administering medication.

8 Policy and procedure requirements.

Amends § 245D.10, subd. 1. Requires a license holder to use forms provided by the commissioner to report service suspensions and service terminations under the chapter of statutes governing home and community-based service standards.

Provides an August 1, 2024, effective date.

9 Employed persons with disabilities.

Amends § 256B.057, subd. 9. Extends the timeline for income reviews under the MA-EPD program from every six months to every 12 months. Removes a requirement that earned income must have Medicare, Social Security, and applicable state and federal taxes withheld. Removes a requirement that a person document earned income tax withholding. Requires a person who is self-employed to file and pay all applicable taxes.

10 Remote reassessments.

Amends § 256B.0911, subd. 24. Allows remote reassessments to be substituted for two consecutive reassessments if followed by an in-person reassessment for personal care assistance and community first services and supports.

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 Authorization of technology services.

Amends § 256B.092, by adding subd. 3a. Prohibits lead agencies from implementing additional requirements, in addition to those required by the commissioner, that could result in the delay of approval or implementation of technology. Requires approval or denial of technology for individuals receiving developmental disability waiver services to occur within 30 business days of the receipt of the initial request. If denied, requires the lead agency to submit a notice of action form clearly stating the reason for the denial.

12 Authorization of technology services.

Amends § 256B.49. Prohibits lead agencies from implementing additional requirements, in addition to those required by the commissioner, that could result in the delay of approval or implementation of technology. Requires approval or denial of technology for individuals receiving CAC, CADI, or BI waiver services to occur within 30 business days of the receipt of the initial request. If denied, requires the

Section Description - Article 1: Disability Services

- lead agency to submit a notice of action form clearly stating the reason for the denial.
- 13 **Informed choice and technology prioritization in implementation for disability waiver services.**
Amends § 256B.4905, subd. 12. Requires the commissioner to ensure that each individual accessing waiver services is offered the opportunity to choose assistive technology, remote support, or both prior to the commissioner offering or reauthorizing services that utilize direct support staff.
- 14 **Data collection for rate determination.**
Amends § 256B.4914, subd. 4. Requires lead agencies to use forms provided by the commissioner to collect values and information needed to calculate an individual's rate in the Disability Waiver Rate System.

Provides a January 1, 2025, effective date.
- 15 **Definitions.**
Amends § 256B.85, subd. 2. Modifies the definition of "activities of daily living" in the chapter of statutes governing community first services and supports (CFSS).
- 16 **Community first services and supports service delivery plan.**
Amends § 256B.85, subd. 6. Requires the CFSS service delivery plan to be approved by the lead agency rather than the consultation services provider.
- 17 **Person-centered planning process.**
Amends § 256B.85, subd. 6a. Corrects a cross-reference.
- 18 **Agency-provider model.**
Amends § 256B.85, subd. 11. Makes a conforming change.
- 19 **Financial management services.**
Amends § 256B.85, subd. 13a. Provides for exceptions to the requirement that a financial management services provider give written notice to a participant or the participant's representative at least 30 calendar days before a proposed service termination becomes effective.
- 20 **Consultation services duties.**
Amends § 256B.85, subd. 17. Makes a conforming change.

Section Description - Article 1: Disability Services

- 21 Worker training and development services; remote visits.**
Amends § 256B.85, by adding subd. 18b. Allows certain CFSS worker training and development services to be provided remotely to recipients with chronic health conditions or severely compromised immune systems if certain conditions are met. Prohibits certain services provided at the start of services or the start of employment of a new support worker from being provided remotely. Allows a CFSS service delivery plan developed or amended via remote worker training and development services to be executed by electronic signature. Allows a recipient to request to return to in-person support worker training and development services at any time.
- Makes this section effective upon CFSS implementation. Requires the commissioner of human services to notify the revisor of statutes when CFSS is implemented.
- 22 Participant protections.**
Amends § 256B.85, subd. 20. Makes conforming changes.

Article 2: Deaf, DeafBlind, and Hard-of-Hearing Services

This article modernizes deaf, deafblind, and hard-of-hearing statutes and modifies the membership of the Commission of the Deaf, DeafBlind, and Hard-of-Hearing.

Section Description - Article 2: Deaf, DeafBlind, and Hard-of-Hearing Services

- 1 Deaf, DeafBlind, and Hard-of-Hearing Services Act; Citation.**
Amends § 256C.21. Makes technical changes and includes “DeafBlind” in the title of the act.
- Provides an August 1, 2024, effective date.
- 2 Culturally affirmative.**
Amends § 256C.23, subd. 1a. Modifies the definition of “culturally affirmative” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.
- Provides an August 1, 2024, effective date.
- 3 Linguistically affirmative.**
Amends § 256C.23, by adding subd. 1b. Defines “linguistically affirmative” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.
- Provides an August 1, 2024, effective date.

Section Description - Article 2: Deaf, DeafBlind, and Hard-of-Hearing Services

- 4 **Deaf.**
Amends § 256C.23, subd. 2. Modifies the definition of “deaf” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 5 **Hard-of-hearing.**
Amends § 256C.23, subd. 2a. Modifies the definition of “hard-of-hearing” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 6 **Deafblind.**
Amends § 256C.23, subd. 2b. Modifies the definition of “deafblind” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 7 **Interpreting services.**
Amends § 256C.23, subd. 2c. Modifies the definition of “interpreting services” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 8 **Real-time captioning.**
Amends § 256C.23, subd. 6. Modifies the definition of “real-time captioning” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 9 **Family and community intervener.**
Amends § 256C.23, subd. 7. Modifies the definition of “family and community intervener” in the Deaf, DeafBlind, and Hard-of-Hearing Services Act.

Provides an August 1, 2024, effective date.
- 10 **Deaf, DeafBlind, and Hard-of-Hearing State Services Division.**
Amends § 256C.233, subd. 1. Updates and modernizes the duties of the Deaf and Hard-of-Hearing State Services Division. Includes the Department of Commerce in the list of agencies with which this division partners. Makes conforming changes.

Provides an August 1, 2024, effective date.

Section Description - Article 2: Deaf, DeafBlind, and Hard-of-Hearing Services

11 Responsibilities.

Amends § 256C.233, subd. 2. Makes technical and conforming changes. Removes obsolete language.

Provides an August 1, 2024, effective date.

12 Location.

Amends § 256C.24, subd. 1. Makes conforming changes.

Provides an August 1, 2024, effective date.

13 Responsibilities.

Amends § 256C.24, subd. 2. Makes technical and conforming changes to regional service center responsibilities.

Provides an August 1, 2024, effective date.

14 Advisory committee.

Amends § 256C.24, subd. 3. Makes technical and conforming changes. Limits advisory committee members to no more than three consecutive terms and no more than nine years in total.

Provides an August 1, 2024, effective date.

15 Employment services.

Amends § 256C.26. Makes technical and conforming changes.

Provides an August 1, 2024, effective date.

16 Services for persons who are deafblind.

Amends § 256C.261. Makes technical and conforming changes.

Provides an August 1, 2024, effective date.

17 Membership.

Amends § 256C.28, subd. 1. Modifies membership of the Commission of the Deaf, DeafBlind, and Hard of Hearing. Adds ex officio, nonvoting members of the commission. Allows the commission to appoint additional ex officio members. Modifies the limit on the number of terms a voting member of the commission may serve.

Article 3: Phase-Out of Special Minimum Wage for Persons with Disabilities

This article phases out the special minimum wage for persons with disabilities by August 1, 2028.

Section	Description - Article 3: Phase-Out of Special Minimum Wage for Persons with Disabilities
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1	Special certificate prohibition.
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	Amends § 177.24, by adding subd. 6. Beginning August 1, 2026, prohibits employers from hiring any new employee with a disability at a wage that is less than the highest applicable minimum wage. Beginning August 1, 2028, prohibits employers from paying an employee with a disability less than the highest applicable minimum wage.
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2	Lead agency board responsibilities.
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	Amends § 252.44. Modifies lead agency board of commissioners' duties under the statutes governing day services to include additional duties related to ensuring, as of August 1, 2026, that employers do not hire any new employees with disabilities at a wage that is less than the applicable minimum wage and as of August 1, 2028, that any day service program pay employees with disabilities the highest applicable minimum wage.
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3	Subminimum wages in home and community-based services reporting.
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	Amends § 256B.4606, by adding subd. 2. Prohibits home and community-based services providers from paying a person with a disability a wage below the state minimum wage, or below the prevailing local minimum wage on the basis of the person's disability. Specifies that a special certificate authorizing payment of less than the minimum wage to a person with a disability is without effect as of August 1, 2028.
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4	Phase-out of use of subminimum wage for medical assistance disability services.
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	Requires the commissioner to seek all necessary amendments to Minnesota's federally approved disability waiver plans to require an individual receiving prevocational or employment support services to be compensated at or above the highest applicable minimum wage no later than August 1, 2028.
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Article 4: Aging Services

This article modifies long-term care options counseling, provides for continuity of care for seniors receiving personal assistance, provides for increased transparency in nursing home related-party transactions, and repeals a mandated report.

Section Description - Article 4: Aging Services

- 1 Long-term care options counseling at critical care transitions.**

Amends § 256.975, subd. 7e. Modifies the provision governing long-term care options counseling for assisted living to apply to critical care transitions. Removes references to assisted living facilities. Requires counseling to be delivered by the Senior LinkAge Line either by telephone or in-person. Modifies the requirements the counseling must meet and makes conforming changes. Modifies requirements assisted living facilities must meet at the facility tour for prospective residents. Prior to discharge, requires hospitals to refer older adults who are at risk of nursing home placement to the Senior LinkAge Line for long-term care options counseling.

Provides an August 1, 2024, effective date.
- 2 Continuity of care for seniors receiving personal assistance.**

Amends § 256B.69, by adding subd. 6h. Provides for continuity of care for seniors receiving personal assistance and transitioning onto the MA elderly waiver program. For the purposes of this subdivision, defines “agency” and “personal assistance.” Applies this subdivision only if the enrollee’s current agency agrees to: (1) accept as payment in full the managed care plan’s or county-based purchasing plan’s in-network reimbursement rate for the same covered service at the time the service is provided; and (2) enter into the plan’s contract for services of like kind.

Provides a January 1, 2025, effective date.
- 3 Reporting of financial statements.**

Amends § 256R.08, subd. 1. Modifies the list of information a nursing facility must annually report to DHS on the cost report by requiring a nursing facility to provide DHS with a copy of its audited financial statement for each year an audit is conducted and requiring nursing facility owners and operators to report related-party transactions. Makes conforming changes.

Provides an August 1, 2024, effective date.
- 4 Notice of costs associated with leases, rent, and use of land or other real property by nursing homes.**

Amends § 256R.08, by adding subd. 5. Requires a nursing home to annually report to the commissioner of human services the cost associated with leases, rent, and use of land or other real property and any other related information requested by DHS. Specifies that a nursing facility that violates this requirement is subject to the penalties and procedures under the provision governing violations and penalties for prohibited practices.

Provides an August 1, 2024, effective date.

Section Description - Article 4: Aging Services

5 Repealer.

Repeals Minn. Stat. § 256.975, subds. 7f (exemptions from long-term care options counseling for assisted living) and 7g (long-term care options counseling at hospital discharge), effective August 1, 2024. Repeals Minn. Stat. § 256R.18 (report by commissioner of human services), effective July 1, 2024.

Article 5: Substance Use Disorder Services

This article makes technical corrections to behavioral health provisions, modifies behavioral health licensing and eligibility, modifies rules on opioid treatment program medication dispensing for unsupervised use, prohibits classification of recovery peers as independent contractors, modifies sober homes requirements related to opiate antagonists and medications for opioid use disorder, and modifies the paperwork reduction report submission date.

Section Description - Article 5: Substance Use Disorder Services

1 Peer recovery support services.

Amends § 245F.02, subd. 17. Modifies the definition of “peer recovery support services” in the chapter of statutes governing withdrawal management programs.

Provides an immediate effective date.

2 Recovery peer.

Amends § 245F.02, subd. 21. Modifies the definition of “recovery peer” in the chapter of statutes governing withdrawal management programs.

Provides an immediate effective date.

3 Peer recovery support services.

Amends § 245F.08, subd. 3. Modifies the description of peer recovery support services in the chapter of statutes governing withdrawal management programs by adding cross-references to service requirements and recovery peer qualifications.

Provides an immediate effective date.

4 Recovery peer qualifications.

Amends § 245F.15, subd. 7. Modifies recovery peer qualifications by adding cross-references to recovery peer qualifications and scope of practice for recovery peers.

Provides an immediate effective date.

Section Description - Article 5: Substance Use Disorder Services

5 Opioid educational material.

Amends § 245G.04, by adding subd. 3. Moves and modifies the requirement for a licensed SUD treatment facility to provide opioid educational material to a client seeking treatment for opioid use issues on the day of service initiation. Requires the license holder to use the opioid educational material approved by the commissioner that contains specified information. If the client is identified as having opioid use issues at a later time, requires the educational material to be provided at that time.

Provides a January 1, 2025, effective date.

6 Comprehensive assessment requirements.

Amends § 245G.05, subd. 3. Makes a conforming change by removing opioid educational material language that is moved to section 245G.04, subdivision 3, in this bill.

Provides a January 1, 2025, effective date.

7 Contents.

Amends § 245G.09, subd. 3. Makes a conforming cross-reference change.

Provides a January 1, 2025, effective date.

8 Student interns and former students.

Amends § 245G.11, subd. 10. Modifies a limitation on percentage of substance use disorder treatment staff that may be student interns or former students by removing students and licensing candidates from the limitation.

9 Definitions.

Amends § 245G.22, subd. 2. Modifies the definitions of “practitioner” by removing variance language.

10 Criteria for unsupervised use.

Amends § 245G.22, subd. 6. Modifies requirements for unsupervised use of medication used for the treatment of opioid use disorder, to allow for individualized unsupervised use doses as ordered for days the client’s clinic is closed, on one weekend day and state and federal holidays. Removes the list of criteria a practitioner must review and document for allowed unsupervised use doses and instead requires review and documentation of federally required criteria.

11 Policies and procedures.

Amends § 245G.22, subd. 17. Makes conforming changes. Removes the limitation on the number of clients (50) a counselor in an opioid treatment program may

Section Description - Article 5: Substance Use Disorder Services

supervise. Requires license holders to: (1) maintain a ratio of one full-time equivalent alcohol and drug counselor for every 60 clients enrolled in the program; (2) determine the appropriate number of clients for which each counselor is responsible; and (3) maintain documentation of the clients assigned to each counselor to demonstrate compliance. Defines “full-time equivalent” for purposes of this paragraph.

Provides a July 1, 2024, effective date.

12 Recovery peer qualifications.

Amends § 245I.04, subd. 18. Prohibits recovery peers from being classified as independent contractors.

13 Comprehensive assessments.

Amends § 254A.19, subd. 3. Requires an eligible vendor of SUD treatment services to recommend, rather than approve, the nature, duration, and intensity of treatment after a comprehensive assessment. Requires a comprehensive assessment under the chapter of statutes governing treatment for alcohol and drug abuse to meet the SUD comprehensive assessment requirements when completed while the individual is in an SUD treatment program. Lists the duties of the assessor when a comprehensive assessment is completed for purposes of payment under specified provisions, or if the assessment is completed prior to service initiation by a licensed SUD treatment program licensed as a substance use disorder treatment program or an applicable Tribal license.

14 Division of costs.

Amends § 254B.03, subd. 4. Makes a conforming change to a cross-reference.

15 Client eligibility.

Amends § 254B.04, subd. 1a. Makes a conforming change to a cross-reference.

16 Eligibility for room and board services for persons in outpatient SUD treatment.

Amends § 254B.04, subd 2a. Makes a conforming change to a cross-reference.

17 Local agency to determine client financial eligibility.

Amends § 254B.04, subd. 6. Modifies the date of eligibility for services under the behavioral health fund from the date of comprehensive assessment to the date of request. Removes language specifying the amount of time local agencies have to enter the financial eligibility span for behavioral health fund services.

Section Description - Article 5: Substance Use Disorder Services

18 Span of eligibility.

Amends § 254B.04, by adding subd. 6a. Specifies the amount of time local agencies have to enter the financial eligibility span for behavioral health fund services. Specifies that the eligibility span begins from the date of the client's comprehensive assessment or the date services were initiated.

19 Licensure or certification required.

Amends § 254B.05, subd. 1. Modifies requirements related to recovery community organizations that are eligible peer support services vendors by requiring certification from one of a list of accrediting organizations rather than membership. Expands the list of accrediting organizations to include the Alliance for Recovery Centered Organizations. Expands the list of qualifications to be an eligible peer support services vendor to include a prohibition on classifying any recovery peer as an independent contractor. Requires all recovery community organizations to be certified or accredited by January 1, 2025.

20 Eligible services.

Amends § 254B.05, subd. 5. Expands the list of eligible SUD treatment services for which the commissioner must establish rates by including SUD treatment services with medications for opioid use disorder provided in a licensed opioid treatment program, and restores high, medium, and low intensity residential treatment services to the list.

Reorganizes language related to ASAM levels of care. Moves language related to enhanced rates and other provider requirements to new subdivisions.

Provides an August 1, 2024, effective date, except the amendments adding an expiration date to paragraph (b), clause (1), and the reorganization of the ASAM levels of care language are effective immediately, and the restoration of the language in paragraph (b), clause (8), is effective retroactively from January 1, 2024, with federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.

21 Enhanced rate requirements.

Amends § 254B.05, by adding subd. 6. Moves language from subdivision 5 related to SUD services enhanced rate requirements to this new subdivision.

Provides an August 1, 2024, effective date.

22 Other rate requirements.

Amends § 254B.05, by adding subd. 7. Moves language from subdivision 5 related to other rate requirements for SUD services to this new subdivision.

Section Description - Article 5: Substance Use Disorder Services

- Provides an August 1, 2024, effective date.
- 23 **SUD provider rate increase.**
Amends § 254B.12, subd. 3. Makes a technical change.
- 24 **Culturally specific or culturally responsive program and disability responsive program provider rate increase.**
Amends § 254B.12, subd. 4. Makes a conforming cross-reference change.
- 25 **Requirements.**
Amends § 254B.181, subd. 1. Modifies the list of sober home requirements by: (1) requiring all sober homes to maintain a supply of an opiate antagonist in a conspicuous location; and (2) removing a requirement to have a policy on the use of medications for opioid use disorder and instead allowing residents to use legally prescribed and dispensed or administered pharmacotherapies approved by the USDA for the treatment of opioid use disorder and other medications approved by the USDA to treat co-occurring substance use disorders and mental health conditions.

Provides a January 1, 2025, effective date.
- 26 **Level of care requirements.**
Amends § 254B.19, subd. 1. Modifies level of care service hour requirements for clients assigned ASAM level 3.1 clinically managed low-intensity residential clients and clients assigned ASAM level 3.5 clinically managed high-intensity residential clients.

Makes this section effective upon federal approval. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
- 27 **Provider participation.**
Amends § 256B.0759, subd. 2. Specifies that licensed residential treatment programs also licensed as hospitals, providing only ASAM 3.7 medically monitored inpatient level of care, are not required to enroll as demonstration project providers. Requires programs meeting these criteria to submit evidence of providing the required level of care to the commissioner to be exempt from enrolling in the demonstration.
- 28 **Provider payment rates.**
Amends § 256B.0759, subd. 4. Updates cross-references related to medical assistance SUD demonstration project rates.

Provides an immediate effective date.

Section Description - Article 5: Substance Use Disorder Services

- 29 **Direction to the commissioner; substance use disorder treatment paperwork reduction.**
Amends Laws 2021, First Special Session ch. 7, art. 11, § 38, as amended by Laws 2022, ch. 98, art. 4, § 50. Modifies the timeline by which the commissioner of human services must take steps to implement paperwork reductions and system improvements and submit a report to the legislature.
- 30 **Repealer.**
Repeals Minn. Stat. § 245G.22, subs. 4 (high dose requirements) and 7 (restrictions for unsupervised use of methadone hydrochloride).

Article 6: Direct Care and Treatment

This article modifies terminology throughout the statutes governing bloodborne pathogen protocols in secure treatment facilities, to apply the requirements to all state-operated treatment programs. The bill also makes a clarifying change to the membership of the Task Force on Priority Admissions to State-Operated Treatment Programs.

Section Description - Article 6: Direct Care and Treatment

- 1 **Patient.**
Amends § 246.71, subd. 3. Modifies definition of “patient” in statutes governing blood-borne pathogen protocols in state-operated treatment programs by modifying terminology to include all state-operated treatment programs, including the Minnesota Sex Offender Program.
- 2 **Employee of a state-operated treatment program or employee.**
Amends § 246.71, subd. 4. Modifies definition of “employee” in statutes governing blood-borne pathogen protocols in state-operated treatment programs by modifying terminology to “state-operated treatment program.”
- 3 **State-operated treatment program.**
Amends § 246.71, subd. 5. Changes terminology in statutes governing blood-borne pathogen protocols from “secure treatment facility” to “state-operated treatment program” to include all direct care and treatment programming.
- 4 **Conditions for applicability of procedures.**
Amends § 246.711. Updates terminology to “state-operated treatment program.”

Section Description - Article 6: Direct Care and Treatment

- 5 **Information to patient.**
Amends § 246.712, subd. 1. Updates terminology to “state-operated treatment program.”
- 6 **Information to state-operated treatment program employee.**
Amends § 246.712, subd. 2. Updates terminology to “state-operated treatment program.”
- 7 **Disclosure of positive blood-borne pathogen test results.**
Amends § 246.3. Updates terminology to “state-operated treatment program.”
- 8 **Consent procedures generally.**
Amends § 246.714. Updates terminology to “state-operated treatment program.”
- 9 **Procedures with consent.**
Amends § 246.715, subd. 1. Updates terminology to “state-operated treatment program.”
- 10 **Procedures without consent.**
Amends § 246.715, subd. 2. Updates terminology to “state-operated treatment program.”
- 11 **Follow-up.**
Amends § 246.715, subd. 3. Updates terminology to “state-operated treatment program.”
- 12 **Procedures with consent.**
Amends § 246.716, subd. 1. Updates terminology to “state-operated treatment program.”
- 13 **Procedures without consent.**
Amends § 246.716, subd. 2. Updates terminology to “state-operated treatment program.”
- 14 **No discrimination.**
Amends § 246.717. Updates terminology to “state-operated treatment program.”
- 15 **Penalty for unauthorized release of information.**
Amends § 246.72. Updates terminology from “inmate” to “patient.”

Section Description - Article 6: Direct Care and Treatment

- 16 **Protocol for exposure to blood-borne pathogens.**
Amends § 246.721. Updates terminology to “state-operated treatment program.”
- 17 **Immunity.**
Amends § 246.722. Updates terminology to “state-operated treatment program.”
- 18 **Membership.**
Amends Laws 2023, chapter 61, article 8, § 13, subd. 2. Modifies one member of the Task Force on Priority Admissions to State-Operated Treatment Programs to accurately name the organization that participated in the task force.

Article 7: Miscellaneous

This article repeals various obsolete reports to the legislature the commissioner of human services was required to submit. In 2021, legislation was enacted to automatically make ongoing mandated reports expire after a specified period of time.

Section Description - Article 7: Miscellaneous

- 1 **Alcohol and Other Drug Abuse Section.**
Amends § 254A.03, subd. 1. Removes a requirement that the Department of Human Services (DHS) Alcohol and Other Drug Abuse Section submit a biennial report to the legislature containing a description of public services delivery and recommendations concerning increase of coordination and quality of services and decrease of service duplication and cost.
- 2 **Evaluation of information and data.**
Amends § 256B.4914, subd. 10. Removes obsolete reporting language and language requiring the commissioner to periodically report to the legislature with information and data related to the disability waiver rate system (DWRS).
- 3 **Reporting and analysis of cost data.**
Amends § 256B.4914, subd. 10a. Removes obsolete reporting language and language requiring the commissioner to make recommendations to the legislature relating to DWRS component values and inflationary factor adjustments in conjunction with other reporting requirements that are being removed.

Section Description - Article 7: Miscellaneous

4 Actuarial soundness.

Amends § 256B.69, subd. 5k. Removes a requirement that the commissioner report to the legislature to certify how the managed care and county-based purchasing plans payment rates meet the conditions of actuarial soundness.

5 Duties.

Amends § 402A.16, subd. 2. Removes a requirement that the Human Services Performance Council submit an annual report to the legislature on the performance of individual counties or service delivery authorities, a summary of performance improvement training and technical assistance activities offered to county personnel by the department, and recommendations for service delivery improvement and systems improvements.

6 Repealer.

Repeals Minn. Stat. § 245G.011, subd. 5 (biennial report on behavioral health crisis facilities grants); 252.34 (biennial report on overarching goals and priorities for persons with disabilities); 256.01, subds. 39 (dedicated funds report) and 41 (reports on interagency agreements and intra-agency transfers); 256B. 79, subd. 6 (biennial report on integrated care for high-risk pregnant women); and 256K.45, subd. 2 (biennial homeless youth report).



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