

**Subject** Out-of-state billing for certain MA HCBS waiver services

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## Overview

This bill requires the commissioner of human services to submit to the federal Centers for Medicare and Medicaid Services (CMS) proposed amendments to medical assistance (MA) home and community-based services (HCBS) waiver plans to allow for out-of-state billing for certain services under certain circumstances.

HCBS waivers offer service options that allow people to live in the community instead of going into or staying in an institutional setting. HCBS waivers cover 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): Provides services for individuals with disabilities who need the level of care provided in a nursing home;
- Brain Injury (BI): 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): Provides services for individuals with developmental disabilities or related conditions who need the same level of care as provided in an intermediate care facility for persons with developmental disabilities (ICF/DD); and
- Community Alternative Care (CAC): Provides services for individuals with chronic illness who need the level of care provided in a hospital.

## Summary

Section	Description
1	<p><b>Direction to commissioner; out-of-state billing.</b></p> <p>By December 1, 2025, requires the commissioner of human services to submit to CMS proposed amendments to HCBS waiver plans to include individualized home supports without training, respite, and night supervision in the definition of “direct care staff services” that may be authorized and provided to a waiver participant who is either traveling temporarily out of state or attending an out-of-state postsecondary school.</p>



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