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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2850

03/13/2023 Authored by Edelson
The bill was read for the first time and referred to the Committee on Human Services Finance

1.1 A bill for an act
1.2 relating to human services; modifying reimbursement rates for transitional supports
1.3 under the home and community-based services waivers; amending Minnesota
1.4 Statutes 2022, section 256B.49, subdivision 16.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 256B.49, subdivision 16, is amended to read:

1.7 Subd. 16. Services and supports. (a) Services and supports included in the home and
1.8 community-based waivers for persons with disabilities must meet the requirements set out
1.9 in United States Code, title 42, section 1396n. The services and supports, which are offered
1.10 as alternatives to institutional care, must promote consumer choice, community inclusion,
1.11 self-sufficiency, and self-determination.

1.12 (b) The commissioner must simplify and improve access to home and community-based
1.13 ~~waivered~~ waiver services, to the extent possible, through the establishment of a common
1.14 service menu that is available to eligible recipients regardless of age, disability type, or
1.15 waiver program.

1.16 (c) Consumer-directed community supports must be offered as an option to all persons
1.17 eligible for services under subdivision 11.

1.18 (d) Services and supports must be arranged and provided consistent with individualized
1.19 written plans of care for eligible waiver recipients.

1.20 (e) A transitional supports allowance must be available to all persons under a home and
1.21 community-based waiver who are moving from a licensed setting to a community setting.
1.22 "Transitional supports allowance" means a onetime payment of up to ~~\$3,000~~ \$7,000, to

2.1 cover the costs, not covered by other sources, associated with moving from a licensed setting
2.2 to a community setting. Covered costs include:

2.3 (1) lease or rent deposits;

2.4 (2) security deposits;

2.5 (3) utilities setup costs, including telephone;

2.6 (4) essential furnishings and supplies; ~~and~~

2.7 (5) personal supports and transports needed to locate and transition to community
2.8 settings; and

2.9 (6) transitional supports provider administrative costs.

2.10 (f) The state of Minnesota and county agencies that administer home and
2.11 community-based ~~waivered~~ waiver services for persons with disabilities must not be liable
2.12 for damages, injuries, or liabilities sustained through the purchase of supports by the
2.13 individual, the individual's family, legal representative, or the authorized representative
2.14 with funds received through consumer-directed community supports under this section.

2.15 Liabilities include but are not limited to workers' compensation liability, the Federal Insurance
2.16 Contributions Act (FICA), or the Federal Unemployment Tax Act (FUTA).