

**SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION**

**S.F. No. 1483**

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DATE  
02/25/2021

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Introduction and first reading  
Referred to Aging and Long-Term Care Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to human services; modifying the reimbursement for long-term care  
1.3 consultation services; amending Minnesota Statutes 2020, section 256B.4905,  
1.4 subdivisions 2, 4, 6, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 256B.4905, subdivision 2, is amended to read:

1.7 Subd. 2. **Employment first implementation for disability waiver services.** The  
1.8 commissioner of human services shall ensure that:

1.9 (1) the disability waivers under sections 256B.092 and 256B.49 support the presumption  
1.10 that all working-age Minnesotans with disabilities can work, want to work, and can achieve  
1.11 competitive integrated employment; and

1.12 (2) lead agencies offer each waiver recipient of working age ~~be offered~~, after an informed  
1.13 decision-making process and during a person-centered planning process, the opportunity  
1.14 to work and earn a competitive wage before being offered exclusively day services as defined  
1.15 in section 245D.03, subdivision 1, paragraph (c), clause (4), or successor provisions.

1.16 Sec. 2. Minnesota Statutes 2020, section 256B.4905, subdivision 4, is amended to read:

1.17 Subd. 4. **Independent living first implementation for disability waiver services.** The  
1.18 commissioner of human services shall ensure that:

1.19 (1) the disability waivers under sections 256B.092 and 256B.49 support the presumption  
1.20 that all adult Minnesotans with disabilities can and want to live independently with proper  
1.21 services and supports as needed; and

2.1 (2) lead agencies offer each adult waiver recipient ~~be offered~~, after an informed  
2.2 decision-making process and during a person-centered planning process, the opportunity  
2.3 to live as independently as possible before being offered customized living services provided  
2.4 in a single family home or residential supports and services as defined in section 245D.03,  
2.5 subdivision 1, paragraph (c), clause (3), or successor provisions, unless the residential  
2.6 supports and services are provided in a family adult foster care residence under a shared  
2.7 living option as described in Laws 2013, chapter 108, article 7, section 62.

2.8 Sec. 3. Minnesota Statutes 2020, section 256B.4905, subdivision 6, is amended to read:

2.9 Subd. 6. **Self-directed first implementation for disability waiver services.** The  
2.10 commissioner of human services shall ensure that:

2.11 (1) the disability waivers under sections 256B.092 and 256B.49 support the presumption  
2.12 that adult Minnesotans with disabilities and families of children with disabilities can and  
2.13 want to use self-directed services and supports, including self-directed funding options; and

2.14 (2) lead agencies offer each waiver recipient ~~be offered~~, after an informed  
2.15 decision-making process and during a person-centered planning process, the opportunity  
2.16 to choose self-directed services and supports, including self-directed funding options, before  
2.17 being offered services and supports that are not self-directed.

2.18 Sec. 4. Minnesota Statutes 2020, section 256B.4905, is amended by adding a subdivision  
2.19 to read:

2.20 Subd. 7. **Enforcement.** In the event that the commissioner determines that a lead agency  
2.21 has authorized disability services after a violation of clause (2) of subdivisions 2, 4, or 6,  
2.22 the commissioner shall recoup the cost of the assessment during which the violation occurred  
2.23 by reducing reimbursement to lead agencies under section 256B.0911, subdivision 6.