

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2857

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DATE	D-PG	OFFICIAL STATUS
03/17/2016	5105	Introduction and first reading Referred to Health, Human Services and Housing
04/01/2016	5434a	Comm report: To pass as amended
04/27/2016	5457	Second reading Special Order: Amended Third reading Passed

1.1 A bill for an act
 1.2 relating to human services; modifying the disability waiver rate system;
 1.3 amending Minnesota Statutes 2014, section 256B.0916, subdivision 8; repealing
 1.4 Laws 2015, chapter 71, article 7, section 56.

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

1.6 Section 1. Minnesota Statutes 2014, section 256B.0916, subdivision 8, is amended to
 1.7 read:

1.8 Subd. 8. **Financial information by county and wait-list data reporting.** (a)

1.9 The commissioner shall make available to interested parties, upon request, financial and
 1.10 waiting list information on the department's Web site.

1.11 (b) The financial information must include:

1.12 (1) the most recent end of session forecast available for the disability home and
 1.13 community-based waiver programs authorized under sections 256B.092 and 256B.49; and

1.14 (2) the most current financial information by, updated at least monthly for the
 1.15 disability home and community-based waiver program authorized under section 256B.092
 1.16 and three disability home and community-based waiver programs authorized under section
 1.17 256B.49 for each county and tribal agency, including:

1.18 (i) the amount of resources allocated for the home and community-based waiver for
 1.19 persons with developmental disabilities;

1.20 (ii) the amount of resources committed, authorized for participants; and

1.21 (iii) the amount of allocated resources not authorized and the amount not used as
 1.22 provided in subdivision 12, and section 256B.49, subdivision 27.

1.23 (c) The waiting list information must be provided quarterly beginning August 1,
 1.24 2016, and must include at least:

2.1 (1) the number of persons screened and waiting for services; listed by urgency
 2.2 category, the number of months on the wait list, age group, and the type of services
 2.3 requested by those waiting; and the amount of allocated resources not committed;

2.4 (2) the number of persons beginning waiver services who were on the waiting list,
 2.5 and the number of persons beginning waiver services who were not on the waiting list;

2.6 (3) the number of persons who left the waiting list but did not begin waiver services;
 2.7 and

2.8 (4) the number of persons on the waiting list with approved funding but without a
 2.9 waiver service agreement and the number of days from funding approval until a service
 2.10 agreement is effective for each person.

2.11 (d) By December 1 of each year, the commissioner shall compile a report posted on
 2.12 the department's Web site that includes:

2.13 (1) the financial information listed in paragraph (b) for the most recently completed
 2.14 allocation period;

2.15 (2) for the previous four quarters, the waiting list information listed in paragraph (c);

2.16 (3) for a 12-month period ending October 31, a list of county and tribal agencies
 2.17 required to submit a corrective action plan under subdivisions 11 and 12, and section
 2.18 256B.49, subdivisions 26 and 27; and

2.19 (4) for a 12-month period ending October 31, a list of the county and tribal agencies
 2.20 from which resources were moved as authorized in section 256B.092, subdivision 12, and
 2.21 section 256B.49, subdivision 11a, the amount of resources taken from each agency, the
 2.22 counties that were given increased resources as a result, and the amounts provided.

2.23 **Sec. 2. INSTRUCTION TO THE COMMISSIONER; DISABILITY WAIVER**
 2.24 **RATE SYSTEM RATE FLOOR PROPOSAL.**

2.25 The governor shall consider including in his budget for the Department of Human
 2.26 Services for the 2018-2019 biennium a proposal for establishing under Minnesota Statutes,
 2.27 section 256B.4914, rate floors for home and community-based waiver services after the
 2.28 end of the banding period as defined under Minnesota Statutes, section 256B.4913,
 2.29 subdivision 4a.

2.30 **Sec. 3. REPEALER.**

2.31 Laws 2015, chapter 71, article 7, section 56, is repealed.

APPENDIX
Repealed Minnesota Session Laws: S2857-2

Laws 2015, chapter 71, article 7, section 56

Sec. 56. **DIRECTION TO COMMISSIONER; REPORTS REQUIRED.**

The commissioner of human services shall develop and submit reports to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over health and human services policy and finance on the implementation of Minnesota Statutes, sections 256B.0916, subdivisions 2, 11, and 12, and 256B.49, subdivisions 26 and 27. The commissioner shall submit two reports, one by February 15, 2018, and the second by February 15, 2019.