

HEALTH AND HUMAN SERVICES BUDGET DIVISION

MINUTES

Senator Linda Berglin, Chair of the Health and Human Services Budget Division, called the twenty-sixth meeting to order at 9:00 a.m. on Tuesday, April 19, 2005, in Room 123 of the State Capitol, St. Paul Minnesota.

The secretary noted the roll.

Members Present:

Berglin, Chair  
Solon, Vice Chair  
Foley  
Higgins  
Koering  
LeClair  
Lourey  
Rosen

A quorum was present.

Senator Solon assumed the chair at 9:35 a.m.

The first bill on the agenda was S.F. 2003, authored and explained by Senator Berglin, as follows:

**S.F. 2003 (BERGLIN):** A bill for an act relating to human services; providing a rate increase for nursing facilities, intermediate care facilities, and community services; establishing a nursing facility bed closure incentive; limiting expansion of certain waiver programs; appropriating money.

Senator Berglin moved to amend S.F. 2003 as follows:

**(See Attachment "A" - SCS2003A-4)**

The **MOTION PREVAILED** and the amendment was adopted.

The following persons testified regarding S.F. 2003:

1. Kristin Beckman, Sr. and Workers Coalition.
2. Bob Held, Continuing Care Division, Department of Human Services.

Senator Koering moved to amend the amendment SCS2003A-4 to S.F. 2003 as follows:

**(See Attachment "B" - BL0938)**

The **MOTION PREVAILED** and the amendment was adopted.

Senator Berglin moved that S.F. 2003 be laid over for possible inclusion in the Health and Human Services Omnibus Bill. The **MOTION PREVAILED.**

Senator Berglin returned to the chair at 10:15 a.m.

The second bill up for consideration was S.F. 1710, authored and explained by Senator Lourey, as follows:

**S.F. 1710 (LOUREY):** A bill for an act relating to human services; implementing child protection, child care, and child and family support provisions.

Senator Lourey moved that S.F. 1710 be recommended to pass to the Finance Committee. The **MOTION PREVAILED.**

Senator Solon assumed the chair at 10:25 a.m.

The third bill up for consideration was S.F. 1000, authored and explained by Senator Berglin, as follows:

**S.F. 1000 (BERGLIN):** A bill for an act relating to human services; modifying discharge plans for offenders with serious and persistent mental illness; clarifying eligibility for medical assistance for offenders released for work release; authorizing commissioner of corrections to enter into a purchasing pool for prescription drugs; allocating housing funds for projects that provide employment support; appropriating money.

Senator Berglin moved to amend S.F. 1000 as follows:

Page 5, after line 36, insert:

“Sec. 6. [EFFECTIVE DATE.]

Section 2 is effective August 1, 2006, or upon health match implementation, whichever is later.”

The **MOTION PREVAILED** and the amendment was adopted.

The following persons testified in favor of S.F. 1000:

1. Kim Carland, Department of Human Services.
2. Brian Osberg, Assistant Commissioner, Health Care Division, Department of Human Services.

Senator Berglin moved to amend S.F. 1000 as follows:

Page 5, line 13, delete “is” and insert “may be”

Page 5, delete lines 19 to 26 and insert:

“(b) An individual, regardless of age, who is considered an inmate of a public institution as defined in Code of Federal Regulations, title 42, section

435.1009, is not eligible for medical assistance.”

The **MOTION PREVAILED** and the amendment was adopted.

Senator Berglin moved that S.F. 1000 be laid over for possible inclusion in the Health and Human Services Omnibus Bill. The **MOTION PREVAILED**.

Senator Berglin returned to the chair at 10:55 a.m.

The fourth bill up for consideration was S.F. 227, authored and explained by Senator Solon, as follows:

**S.F. 227 (SOLON):** A bill for an act relating to health; establishing a cancer drug repository program.

Senator Solon moved to amend S.F. 227 as follows:

**(See Attachment “C” - SCS0227A10)**

The **MOTION PREVAILED** and the amendment was adopted.

Senator Solon moved to amend the amendment SCS0227A10 to S.F. 227 as follows:

Page 7, line 23, delete “or professional or medical malpractice”

The following persons testified against the previous amendment:

1. Joe Carlson, MN Trial Lawyers Association.
2. Dave Renner, MN Medical Association.

Senator Solon withdrew the amendment to the SCS0227A10 amendment.

Senator Solon moved to amend the amendment SCS0227A10 to S.F. 227 as follows:

Page 7, line 23, delete “professional or medical” and insert “unrelated to the quality of the donated cancer drug or supply”

The **MOTION PREVAILED** and the amendment to the amendment was adopted.

Senator Solon moved that S.F. 227 be laid over for possible inclusion in the Health and Human Services Omnibus Bill. The **MOTION PREVAILED**.

The fifth bill up for consideration was S.F. 1837, authored and explained by Senator Lourey, as follows:

**S.F. 1837 (LOUREY):** A bill for an act relating to human services; changing the medical assistance, general assistance, and MinnesotaCare provisions to align with practice; allowing military enrollees and military families to reenroll at certain times; modifying the Consumer-Directed Community Supports methodology; establishing a clinical trial work group.

The following persons testified in favor of S.F. 1837:

1. Char Sadlack, Department of Human Services.
2. Katherine Kelley, Department of Human Services.

Senator Foley moved to amend S.F. 1837 as follows:

Page 22, lines 8 and 9, delete "amount being spent by the person as of September 30, 2004" and insert "daily average cost during calendar year 2004 or for persons who graduated from school during 2004, the average daily cost during July through December 2004, less one-half of case management and home modifications over \$5,000"

Page 22, line 21, after "costs" insert "at the lowest rate available, considering daily, monthly, semiannual, annual, or membership rates"

Page 23, after line 19, insert:

"Sec. 34. [EXPIRATION DATE.]

Section 29 shall expire on the date the commissioner of human services implements a new consumer-directed community supports budget methodology that is based on reliable and accurate information about the services and supports intensity needs of persons using the option and that adequately accounts for the increased costs of adults who graduate from school and need services funded by the waiver during the day."

The **MOTION PREVAILED** and the amendment was adopted.

Senator Lourey moved to amend S.F. 1837 as follows:

Page 23, after line 15, insert:

"Sec. 33. [CONSUMER-DIRECTED COMMUNITY SUPPORTS WAIVER AMENDMENT REQUEST.]

(a) Recipients of home and community-based waiver services who are also residents of a foster home, as defined under Minnesota Rules, part 2960.3010, subpart 23, or of a family adult foster care home, as defined under Minnesota Statutes, section 144D.01, subdivision 7, shall be allowed to use the consumer-directed community supports waived services option. In

Implementing this paragraph, the commissioner may, but it not required to, modify the federally approved consumer-directed community supports budget methodology.

(b) The commissioner of human services shall apply for a federal waiver amendment to implement paragraph (a).

[EFFECTIVE DATE.] This section if effective the day following final enactment.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The following persons testified regarding the previous amendment:

1. Joe Carlson, MN Trial Lawyers Association (OPPOSED).
2. Jan Taylor, Department of Human Services (PROPONENT).

The **MOTION PREVAILED** and the amendment was adopted.

Senator Foley moved to amend S.F. 1837 as follows:

Page 20, delete sections 25 and 26, lines 15 to 34

Senate File 1837 was laid over until Wednesday, April 20, 2005.

The sixth and final bill up for consideration was S.F. 1822, authored and explained by Senator Higgins, as follows:

**S.F. 1822 (HIGGINS):** A bill for an act relating to human services; specifying criteria for coverage of medical assistance special transportation services; increasing special transportation reimbursement rates; extending the prohibition on the use of brokers or coordinators to manage special transportation services; requiring a review of special transportation services.

Senator Higgins moved to amend S.F. 1822 as follows:

Page 2, line 16, delete "\$18.75" and insert "\$17" and reinstate the stricken "\$1.40" and delete "\$1.60"

Pages 3 and 4, delete section 3 and insert:

"Sec. 3. [ADVISORY COMMITTEE ON NONEMERGENCY  
TRANSPORTATION SERVICES.]

The commissioner of human services may establish a seven-member advisory committee on medical assistance nonemergency transportation

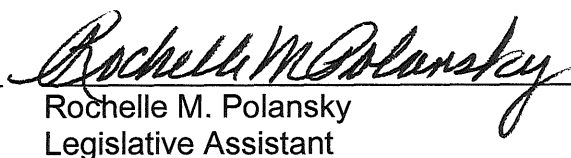
Services. The committee may consist of: a representative of the commissioner of human services, who may serve as chair; two special transportation service providers, appointed by the trade associations representing special transportation service providers; two representatives of nursing facilities, one appointed by the Minnesota Health and Housing Alliance and the other appointed by CareProviders of Minnesota, and one house of representatives and one senate member, appointed respectively by the chairs of the house of representatives and the senate committees with jurisdiction over medical assistance funding. The advisory committee may monitor and evaluate the provision of medical assistance nonemergency medical transportation services, and present recommendations for any necessary changes to the commissioner."

The **MOTION PREVAILED** and the amendment was adopted.

Senator Higgins moved that S.F. 1822 be laid over for possible inclusion in the Health and Human Services Omnibus Bill. The **MOTION PREVAILED**.

The meeting adjourned at 11:45 a.m.

  
Senator Linda Berglin  
Chair

  
Rochelle M. Polansky  
Legislative Assistant

02:03:59

Health and Human Services Budget Division

Senator Linda Berglin, Chair

Tuesday, April 19, 2005 – 9:30 a.m.

Room 123 State Capitol

AGENDA

I. Call to Order.

II. S.F. 65 (Berglin): Health care bill.

A. Author's Presentation.

Testimony:

1. Tara Garman, SEIU MN State Council.
2. Erin Murphy, MN Nurses Assn.
3. Ann Henry, MN Disability Law Center.

B. Amendment(s).

C. Division Action.

III. S.F. 2003 (Berglin): Rate increase for nursing facilities.

A. Author's Presentation.

Testimony:

1. Kristin Beckmann, Sr. and Workers Coalition.
2. Bruce Nelson, ARRM.

B. Amendment(s).

C. Division Action

IV. S.F. 227 (Solon): Cancer Drug Repository Program.

A. Author's Presentation.

B. Amendment(s).

C. Division Action.

V. **S.F. 1837 (Lourey):** MnCARE change to align with practice.

A. Author's Presentation.

Testimony:

1. Char Sadlak, DHS.
2. Karen Giusto, DHS.

B. Amendment(s).

C. Division Action.

VI. **S.F. 1710 (Lourey):** Child protection, child and family support, child care.

A. Author's Presentation.

Testimony:

Ann Martineau, DHS.

B. Amendment(s).

C. Division Action.

VII. **S.F. 1000 (Berglin):** Discharge planning for those with serious and Persistent mental illness.

A. Author's Presentation.

B. Amendment(s).

C. Division Action.

VIII. **S.F. 1822 (Higgins):** Special transportation services.

A. Author's Presentation.

B. Amendment(s).

C. Division Action.

IX. Adjournment.