

DHS Community Supports Policy Bill (SF 3165/HF 3741)

Community Supports Technical and Policy Modifications

CS-01 – CSA Technical Corrections and Obsolete Provisions

Technical clarifications to behavioral health, disability service, and housing statutes. No policy changes, just clarifications, non-substantive modifications:

- Adds the requirement that Integrated Community Support (ICS) providers must report the number of people receiving ICS in their setting capacity report.
- Repeals a foster care moratorium exception that expired June 30, 2018.
- Corrects eligibility for Long-Term Homeless Supportive Services Grant to ensure Tribal nations are consistently included across statute.
- Repeals the Citizen’s Advisory Council, which is no longer in existence.
- Repeals the Substance Use Disorder Continuum of Care Pilot Project, which is no longer in operation.
- Updates “chemical dependency” to “substance use disorder.”
- Removes an incomplete and unnecessary sentence from Intensive Rehabilitative Mental Health Services statute.

CS-02 – Telehealth Clean-up

- Simplifies and clarifies that remote Long-Term Care Consultation (LTCC) reassessments are allowed if the person and the person’s legal representative provide informed consent, rather than basing the provision of a remote reassessment on a set of impractical factors.
- Clarifies that audio-only modalities may be used to meet the face-to-face requirements to receive the encounter rate at federally qualified health centers, rural health clinics, Indian health service, 638 tribal clinics, and certified community behavioral health clinics (CV16). Clarifies that audio-only modalities may be used to meet the face-to-face requirements for Targeted Case Management (CV24).

CS-07 – Mental Health Uniform Service Standards Clean-up

- Updates cross-references, aligns USS changes that passed in the 2021 regular session with changes that passed in the 2021 first special session, and makes minor, noncontroversial corrections.

CS-08 – Culture of Safety Participant Protections and Data Sharing

- Establishes authorizing language for the HCBS Culture of Safety program, including allowing for data sharing and data privacy, as well as legal protections for people participating in critical incident reviews in the home and community based services (HCBS) system.
- The HCBS Culture of Safety program analyzes critical incidents using a safety science lens to enhance accountability and safety by moving beyond blame-based approaches toward holistic, improvement-focused approaches that identify how the system as a whole may have contributed to a critical incident.

CS-09 – Early Intensive Development Behavioral Intervention (EIDBI) Policy Modifications

- This proposal:
 - defines and further clarifies modifications from previous legislative sessions related to the fidelity of the EIDBI service

- makes technical clarifications related to telehealth updates from the 2021 session; and
- Makes attendance of Qualified Supervising Professionals (QSP) optional at Coordinated Care Conferences, to ensure timely access.

CS-10 – ABLER Account Federal Conformity

- Aligns Minnesota state law on ABLER accounts with the Internal Revenue Service final rules.
- This change would allow another person to establish an account on behalf of an eligible individual if the person was unable to do so for themselves.
- An account could be established by an individual's agent under a power of attorney, by a conservator or legal guardian, spouse, parent, sibling, grandparent, or representative payee.