

1.1 Senator moves to amend S.F. No. 3062 as follows:

1.2 Page 1, line 19, after "for" insert ":(1)"

1.3 Page 1, line 20, after "months" insert "; or (2) individuals involved in the criminal justice
1.4 system"

1.5 Page 2, delete section 2 and insert:

1.6 "Sec. 2. [144.2256] CERTIFIED BIRTH RECORD FOR PERSONS ELIGIBLE FOR
1.7 MEDICAL ASSISTANCE.

1.8 Subdivision 1. Application; birth record. A subject of a birth record who is medical
1.9 assistance eligible according to chapter 256B, and who has been treated for a substance use
1.10 disorder within the past 12 months, may apply to the state registrar or a local issuance office
1.11 for a certified birth record according to this section. The state registrar or local issuance
1.12 office shall issue a certified birth record, or statement of no vital record found, to a subject
1.13 of a birth record who submits:

1.14 (1) a completed application signed by the subject of the birth record;

1.15 (2) a statement of eligibility that complies with the requirements in subdivision 2 from
1.16 an employee of a treatment provider licensed under chapter 245G that receives public
1.17 funding to provide services to people with substance use; and

1.18 (3) identification in the form of:

1.19 (i) a document of identity listed in Minnesota Rules, part 4601.2600, subpart 8, or, at
1.20 the discretion of the state registrar or local issuance office, Minnesota Rules, part 4601.2600,
1.21 subpart 9;

1.22 (ii) a statement that complies with Minnesota Rules, part 4601.2600, subparts 6 and 7;
1.23 or

1.24 (iii) a statement of identity provided by the employee of a licensed treatment provider
1.25 that receives public funding to provide services to people with substance use disorders who
1.26 verified eligibility. The statement must comply with Minnesota Rules, part 4601.2600,
1.27 subpart 7.

1.28 Subd. 2. Statement of eligibility. A statement of eligibility must be from an employee
1.29 of a treatment provider licensed under chapter 245G that receives public funding to provide
1.30 services to people with substance use disorders. The statement of eligibility must verify the
1.31 subject of the birth record is medical assistance eligible according to chapter 256B and has

2.1 been treated for a substance use disorder within the last 12 months. The statement of
 2.2 eligibility must also include:

2.3 (1) the employee's first name, middle name if any, and last name; home or business
 2.4 address and telephone number if any; and e-mail address if any;

2.5 (2) the name of the licensed treatment provider that receives public funding to provide
 2.6 services to people with substance use disorders that employs the person making the eligibility
 2.7 statement;

2.8 (3) the first name, middle name if any, and last name of the subject of the birth record;

2.9 (4) a copy of the employee's employment identification, or verification of employment,
 2.10 linking the employee to the licensed treatment provider that provided treatment; and

2.11 (5) a statement specifying the relationship of the employee providing the eligibility
 2.12 statement to the subject of the birth record.

2.13 Subd. 3. **Data practices.** Data listed under subdivision 1, clauses (2) and (3), are private
 2.14 data on individuals."

2.15 Page 3, lines 11, 18, and 31, delete "eligible for" and after "assistance" insert "eligible"

2.16 Page 3, line 26, delete "eligible"

2.17 Page 3, line 27, delete "for" and after "assistance" insert "eligible"

2.18 Page 4, line 1, delete "human services agency" and insert "licensed treatment provider"

2.19 Page 4, lines 4 and 13, delete "eligible for" and after "assistance" insert "eligible"

2.20 Page 4, line 9, delete "birth record" and insert "identification card or driver's license"

2.21 Page 4, line 29, delete "center" and insert "program"

2.22 Page 5, line 10, delete "need not" and insert "is not required to conduct a new
 2.23 comprehensive assessment and is not required to"

2.24 Page 5, lines 25 and 27, after "more" insert "under other federal or state funded assistance
 2.25 programs"

2.26 Page 6, line 7, after the period insert "The commissioner shall seek a federal waiver to
 2.27 allow these individuals to remain eligible for medical assistance for the six-month period."

2.28 Page 8, after line 5, insert:

2.29 "**EFFECTIVE DATE.** This section is effective the day following final enactment."

2.30 Page 8, delete section 2

- 3.1 Page 10, line 27, delete "employee" and insert "the program employs"
- 3.2 Page 12, line 1, delete "shall" and insert "must"
- 3.3 Page 12, line 3, delete "shall" and insert "must" and delete "will" and insert "must"
- 3.4 Page 12, line 7, delete "Automatic inflation adjustment" and insert "Temporary rate
- 3.5 increase" and delete "and"
- 3.6 Page 12, line 8, delete "each year thereafter," and delete "adjust" and insert "increase"
- 3.7 Page 12, line 9, delete everything after the second comma and insert "by 14 percent."
- 3.8 Page 12, line 10, delete "calendar year" and insert "This rate increase remains in effect"
- 3.9 Page 12, delete section 5 and insert:
- 3.10 "Sec. 4. Minnesota Statutes 2020, section 254B.05, is amended by adding a subdivision
- 3.11 to read:
- 3.12 Subd. 7. Substance use disorder direct care staff increase. (a) At least 80 percent of
- 3.13 the ten percent rate increase provided for substance use disorder services under section
- 3.14 254B.12, subdivision 5, for services provided between January 1, 2023, and March 31,
- 3.15 2025, must be used to increase compensation-related costs for employees directly employed
- 3.16 by the program on or after January 1, 2023. For the purposes of this paragraph,
- 3.17 "compensation-related costs" include:
- 3.18 (1) wages and salaries;
- 3.19 (2) the employer's share of FICA taxes, Medicare taxes, state and federal unemployment
- 3.20 taxes, workers' compensation, and mileage reimbursement;
- 3.21 (3) the employer's paid share of health and dental insurance, life insurance, disability
- 3.22 insurance, long-term care insurance, uniform allowance, pensions, and contributions to
- 3.23 employee retirement accounts; and
- 3.24 (4) benefits that address direct support professional workforce needs, above and beyond
- 3.25 benefits offered to employees prior to January 1, 2023, including retention and recruitment
- 3.26 bonuses and tuition reimbursement.
- 3.27 (b) Compensation-related costs for persons employed in the central office of a corporation
- 3.28 or entity that has an ownership interest in the provider or exercises control over the provider,
- 3.29 or for persons paid by the provider under a management contract, do not count toward the
- 3.30 80 percent requirement under this subdivision.

4.1 (c) A provider agency or individual provider that receives a rate subject to the
4.2 requirements of this subdivision shall prepare, and upon request submit to the commissioner,
4.3 a distribution plan that specifies the amount of money the provider expects to receive that
4.4 is subject to the requirements of this subdivision, including how that money was or will be
4.5 distributed to increase compensation-related costs for employees. Within 60 days of final
4.6 implementation of a rate adjustment subject to the requirements of this subdivision, the
4.7 provider must post the distribution plan. The distribution plan must remain posted for a
4.8 period of at least six months in an area of the provider's operation to which all direct support
4.9 professionals have access.

4.10 **EFFECTIVE DATE.** This section is effective January 1, 2023, or upon federal approval,
4.11 whichever is later. The commissioner of human services shall inform the revisor of statutes
4.12 when federal approval is obtained.

4.13 Sec. 5. Minnesota Statutes 2020, section 254B.12, is amended by adding a subdivision to
4.14 read:

4.15 Subd. 5. **Substance use disorder services provider rate increase effective January**
4.16 **1, 2023.** For substance use disorder services listed in sections 254B.05, subdivision 5, and
4.17 256B.0759, subdivision 6, provided on or after January 1, 2023, payment rates shall be
4.18 increased by ten percent over the rates in effect on December 31, 2022."

4.19 Page 12, before line 28, insert:

4.20 "Section 1. Minnesota Statutes 2020, section 245A.19, is amended to read:

4.21 **245A.19 HIV TRAINING IN CHEMICAL DEPENDENCY TREATMENT**
4.22 **PROGRAM.**

4.23 (a) Applicants and license holders for chemical dependency residential and nonresidential
4.24 programs must demonstrate compliance with HIV minimum standards ~~prior to~~ before their
4.25 application ~~being~~ is complete. The HIV minimum standards contained in the HIV-1
4.26 Guidelines for chemical dependency treatment and care programs in Minnesota are not
4.27 subject to rulemaking.

4.28 (b) ~~Ninety days after April 29, 1992,~~ The applicant or license holder shall orient all
4.29 chemical dependency treatment staff and clients to the HIV minimum standards. Thereafter,
4.30 orientation shall be provided to all staff and clients, within 72 hours of employment or
4.31 admission to the program. In-service training shall be provided to all staff on at least an
4.32 annual basis and the license holder shall maintain records of training and attendance.

5.1 (c) The license holder shall maintain a list of referral sources for the purpose of making
5.2 necessary referrals of clients to HIV-related services. The list of referral services shall be
5.3 updated at least annually.

5.4 (d) Written policies and procedures, consistent with HIV minimum standards, shall be
5.5 developed and followed by the license holder. All policies and procedures concerning HIV
5.6 minimum standards shall be approved by the commissioner. The commissioner ~~shall provide~~
5.7 ~~training on HIV minimum standards to applicants~~ must outline the content required in the
5.8 annual staff training under paragraph (b).

5.9 (e) The commissioner may permit variances from the requirements in this section. License
5.10 holders seeking variances must follow the procedures in section 245A.04, subdivision 9."

5.11 Page 13, delete section 2

5.12 Page 14, line 6, delete the new language

5.13 Page 14, line 7, delete the new language and strike the old language

5.14 Page 14, line 8, before "an" insert "by" and before the period insert "at least every 28
5.15 calendar days, when there is a significant change in the client's situation, functioning, or
5.16 service methods, or at the request of the client"

5.17 Page 16, delete section 7

5.18 Renumber the sections in sequence and correct the internal references

5.19 Amend the title accordingly