

S.F. No. 2499 – Modifying certain substance use disorder services and related provisions

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Date: March 14, 2023

Section 1 [144.2256; Certified Birth Record for Persons Eligible for Medical Assistance]

proposes new coding in chapter 144 that specifies the procedure by which an individual eligible for medical assistance and treated for a substance use disorder may apply for a birth record.

Subdivision 1 [Application; birth record] allows an individual who is eligible for medical assistance and has been treated for a substance use disorder within the past 12 months to apply for a certified birth record and requires the certified birth record, or statement of no vital record found, to be issued to an individual who submits (1) a completed application; (2) a statement of eligibility; and (3) identification.

Subdivision 2 [Statement of eligibility] requires that a statement of eligibility must be from an employee of a human services agency or treatment provider licensed under chapter 245G that receives public funding to provide substance use disorder services and must verify an individual is eligible for medical assistance. Requires specific information to be included in the statement of eligibility.

Subdivision 3 [Data practice] specifies the data listed under subdivision 1, clauses (2) and (3) are private data on individuals.

Section 2 [144.226, subd. 9; Birth record fees waived for people treated for substance use disorder] provides that an individual who is eligible for medical assistance and has been treated for a substance use disorder within the past 12 months shall not be charged any fees for a certified birth record or statement of no vital record found.

Section 3 [171.06, subd. 8; Application; identification card or copy of driver's license]

Paragraph (a) allows an individual who is eligible for medical assistance and has been treated for a substance use disorder within the past 12 months to apply for an identification card or driver's license and requires the identification card or driver's license to be issued to

an individual who submits (1) a completed application; (2) a statement of eligibility signed by the individual; and (3) a statement of eligibility provided by an employee of a human services agency that receives public funding to provide substance use disorder services.

Paragraph (b) requires that a statement of eligibility must specific information, including the name of the individual providing the statement and contact information, the name of the subject of the identification card or driver’s license, and a statement specifying the relationship of the individual providing the statement to the subject of the identification card or driver's license.

Paragraph (c) prohibits any fees for identification cards or driver’s licenses issued under this section.

Section 4 (245G.06, subd. 3; Treatment plan review) modifies when a treatment plan review must be entered into a client’s file from weekly to at least every 28 calendar days, when there is a significant change in a client’s situation, or at the request of a client. States the section is effective August 1, 2023.

Section 5 [245G.07, subd. 1a; Transition follow-up counseling] allows a client discharged from a treatment center to receive transition follow-up counseling for up to one year. Requires specific service criteria and allows a provider to bill for the transition services at the same rate as individual counseling sessions. Limits transition treatment services to four sessions per month. Specifies documentation requirements and requires prepaid medical assistance plans to allow members to access this follow-up counseling.

Section 6 (254B.05, subd. 5; Rate requirements) makes technical changes and allows a license holder to remain eligible to bill for a client’s intensity level of services, when certain conditions are met, when that license holder was unable to provide all the services because a client missed services. Allows hours in a treatment week to be reduced in observance of federally recognized holidays. Modifies the staffing requirement of programs treating co-occurring mental health and substance use disorder and removes the limitation on the number of students or licensing candidates that can be part of the mental health staff.

Section 7 (254B.051; Substance Use Disorder Treatment Effectiveness) makes technical changes and requires all data collected by the commissioner of human services from substance use disorder treatment providers to be made available to substance use disorder treatment providers. Further requires the commissioner to make this data available at least annually and to provide the data in a way that allows providers to compare their performance against other providers.

Section 8 [254B.12, subd. 5; Temporary rate increase] requires the commissioner of human services to increase the rates for specified substance use disorder treatment services by 24 percent and specifies that this increase remains in effect until the new comprehensive framework fir substance use disorder residential and outpatient services is implemented. Requires the commissioner to issue a report on the status of the framework implementation.

Specifies that the subdivision expires the day following the implementation of the new comprehensive rate framework.

Section 9 [254B.12, subd. 6; Substance use disorder direct care staff increase] requires that at least 33 percent of the 24 percent rate increase under Section 8 be used to increase compensation-

related costs for employees directly employed by a substance use disorder treatment program. Specifies what “compensation-related costs” includes. Requires providers receiving a rate increase to prepare, and submit upon request, to the commissioner of human services a distribution plan that specifies the amount of money the provider expects to receive, including how that money will be spent. Requires providers to post the distribution plan within 60 days of final implementation. Specifies that the subdivision is effective January 1, 2024, or upon federal approval, whichever is later.

Section 10 [DIRECTION TO THE COMMISSIONER; TRANSITION SUPPORT SERVICES RECOMMENDATIONS] requires the commissioner of human services, in consultation with stakeholders, to develop recommendations related to transition support services for persons who have completed a substance use disorder treatment program that required 15 or more hours of treatment services per week and who received medical assistance or services through the behavioral health fund. Provides specific stakeholder requirements and requires the commissioner to make recommendations on specific transition support components. Further requires the commissioner to submit a report to the legislature on the recommendations by December 1, 2023.