

1.1 Senator ..... moves to amend S.F. No. 2 as follows:

1.2 Page 2, line 6, delete "subdivision 3" and insert "subdivisions 3 and 3a"

1.3 Page 45, line 32, after "deduction" insert "except as provided under subdivision 3a"

1.4 Page 46, after line 3, insert:

1.5 "Subd. 3a. **Direct care worker charge back.** (a) For the purposes of this subdivision,  
1.6 "direct care worker" means either (1) an employee of a medical assistance enrolled provider  
1.7 who provides direct nonprofessional long-term care services and supports funded through  
1.8 medical assistance, including through a home and community-based waiver or alternative  
1.9 care, to a person with a disability or an older adult or (2) an individual provider as defined  
1.10 under section 256B.0711.

1.11 (b) Notwithstanding the permissible employee charge back provisions under subdivision  
1.12 3, employers and covered business entities may not deduct any amount of annual premiums  
1.13 paid under this section from the wages of a direct care worker. Employers and covered  
1.14 business entities that employ both direct care workers and nondirect care workers may  
1.15 deduct up to 50 percent of annual premiums paid under this section from nondirect care  
1.16 worker wages. Such deductions for any given nondirect care worker must be in equal  
1.17 proportion to the premiums paid based on the wages of that employee, and all nondirect  
1.18 care workers of an employer must be subject to the same percentage deduction. Deductions  
1.19 under this section must not cause a nondirect care worker's wage, after the deduction, to  
1.20 fall below the rate required to be paid to the worker by law, including any applicable statute,  
1.21 regulation, rule, ordinance, government resolution or policy, contract, or other legal authority,  
1.22 whichever rate of pay is greater."

1.23 Page 64, after line 21, insert:

1.24 "Sec. 37. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; RATES**  
1.25 **FOR EMPLOYERS OF DIRECT CARE WORKERS.**

1.26 Subdivision 1. **Definition.** For the purposes of this section, "direct care worker" has the  
1.27 meaning given in Minnesota Statutes, section 268B.14, subdivision 3a.

1.28 Subd. 2. **Rate increases for employers of direct care workers.** Beginning July 1, 2025,  
1.29 the commissioner of human services must increase the medical assistance reimbursement  
1.30 rates of any employer that employs a direct care worker by an amount sufficient to cover  
1.31 100 percent of the employer premiums paid under Minnesota Statutes, section 268B.14, on  
1.32 the wages of direct care workers.

2.1 Subd. 3. **Draft legislation required.** By January 1, 2025, for any medical assistance  
2.2 rates established in Minnesota Statutes that reimburse employers of direct care workers, the  
2.3 commissioner must develop draft legislation to incorporate the rate increase described in  
2.4 subdivision 2 into the rate or rate framework and submit the draft legislation to the chairs  
2.5 and ranking minority members of the legislative committees or divisions with jurisdiction  
2.6 over human services finance. The commissioner must not construe failure of the legislature  
2.7 to enact the draft legislation as relieving the commissioner of the commissioner's duty to  
2.8 increase rates as required under subdivision 2. If the legislature enacts the draft legislation,  
2.9 implementation of the statutory rate increases will satisfy the requirements of subdivision  
2.10 2 with respect to employers reimbursed under those rates."

2.11 Renumber the sections in sequence