

1.1 Senator moves to amend the delete-everything amendment (SCS2934A-1)
1.2 to S.F. No. 2934 as follows:

1.3 Page 120, after line 3, insert:

1.4 "Sec. 9. Minnesota Statutes 2022, section 256B.073, subdivision 3, is amended to read:

1.5 Subd. 3. **Requirements.** (a) In developing implementation requirements for electronic
1.6 visit verification, the commissioner shall ensure that the requirements:

1.7 (1) are minimally administratively and financially burdensome to a provider;

1.8 (2) are minimally burdensome to the service recipient and the least disruptive to the
1.9 service recipient in receiving and maintaining allowed services;

1.10 (3) consider existing best practices and use of electronic visit verification;

1.11 (4) are conducted according to all state and federal laws;

1.12 (5) are effective methods for preventing fraud when balanced against the requirements
1.13 of clauses (1) and (2); and

1.14 (6) are consistent with the Department of Human Services' policies related to covered
1.15 services, flexibility of service use, and quality assurance.

1.16 (b) The commissioner shall make training available to providers on the electronic visit
1.17 verification system requirements.

1.18 (c) The commissioner shall establish baseline measurements related to preventing fraud
1.19 and establish measures to determine the effect of electronic visit verification requirements
1.20 on program integrity.

1.21 (d) The commissioner shall make a state-selected electronic visit verification system
1.22 available to providers of services.

1.23 (e) The commissioner shall make available and publish on the agency website the name
1.24 and contact information for the vendor of the state-selected electronic visit verification
1.25 system and the other vendors that offer alternative electronic visit verification systems. The
1.26 information provided must state that the state-selected electronic visit verification system
1.27 is offered at no cost to the provider of services and that the provider may choose an alternative
1.28 system that may be at a cost to the provider.

2.1 Sec. 10. Minnesota Statutes 2022, section 256B.073, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 5. Vendor requirements. (a) The vendor of the electronic visit verification system
2.4 selected by the commissioner and the vendor's affiliate must comply with the requirements
2.5 of this subdivision.

2.6 (b) The vendor of the state-selected electronic visit verification system and the vendor's
2.7 affiliate must:

2.8 (1) notify the provider of services that the provider may choose the state-selected
2.9 electronic visit verification system at no cost to the provider;

2.10 (2) offer the state-selected electronic visit verification system to the provider of services
2.11 prior to offering any fee-based electronic visit verification system;

2.12 (3) notify the provider of services that the provider may choose any fee-based electronic
2.13 visit verification system prior to offering the vendor's or its affiliate's fee-based electronic
2.14 visit verification system;

2.15 (4) when offering the state-selected electronic visit verification system, clearly
2.16 differentiate between the state-selected electronic visit verification system and the vendor's
2.17 or its affiliate's alternative fee-based system; and

2.18 (5) allow the provider of services, at no cost to the provider, to terminate the agreement
2.19 after 12 months of the provider executing the agreement.

2.20 (c) The vendor of the state-selected electronic visit verification system and the vendor's
2.21 affiliate must not use state data that is not available to other vendors of electronic visit
2.22 verification systems to develop, promote, or sell the vendor's or its affiliate's alternative
2.23 electronic visit verification system.

2.24 (d) Upon request from the provider, the vendor of the state-selected electronic visit
2.25 verification system must provide proof of compliance with the requirements of this
2.26 subdivision.

2.27 (e) An agreement between the vendor of the state-selected electronic visit verification
2.28 system or its affiliate and a provider of services for an electronic visit verification system
2.29 that is not the state-selected system entered into on or after July 1, 2023, is subject to
2.30 immediate termination by the provider if the vendor violates any of the requirements of this
2.31 subdivision.

2.32 **EFFECTIVE DATE.** This section is effective July 1, 2023."

3.1 Renumber the sections in sequence