

Senator moves to amend the delete-everything amendment (SCS4399A-3) to S.F. No. 4399 as follows:

Page 29, after line 14, insert:

"Sec. 23. Laws 2021, First Special Session chapter 7, article 13, section 75, is amended to read:

Sec. 75. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; WAIVER REIMAGINE AND INFORMED CHOICE STAKEHOLDER CONSULTATION.

Subdivision 1. **Stakeholder consultation; generally.** (a) The commissioner of human services must consult with and seek input and assistance from stakeholders concerning potential adjustments to the streamlined service menu from waiver reimagine phase I and to the existing rate exemption criteria and process.

(b) The commissioner of human services must consult with ~~and~~, seek input and assistance from, and collaborate with stakeholders concerning the development and implementation of waiver reimagine phase II, including criteria and a process for individualized budget exemptions, and how waiver reimagine phase II can support and expand informed choice and informed decision making, including integrated employment, independent living, and self-direction, consistent with Minnesota Statutes, section 256B.4905.

(c) The commissioner of human services must consult with, seek input and assistance from, and collaborate with stakeholders concerning the implementation and revisions of the MnCHOICES 2.0 assessment tool.

Subd. 2. **Public stakeholder engagement.** The commissioner must offer a public method to regularly receive input and concerns from people with disabilities and their families about waiver reimagine phase II. The commissioner shall provide ~~regular~~ quarterly public updates on policy development and on how recent stakeholder input ~~was used throughout the~~ is being incorporated into the current development and implementation of waiver reimagine phase II.

Subd. 3. **Waiver Reimagine Advisory Committee.** (a) The commissioner must convene, at regular intervals throughout the development and implementation of waiver reimagine phase II, a Waiver Reimagine Advisory Committee that consists of a group of diverse, representative stakeholders. The commissioner must solicit and endeavor to include racially, ethnically, and geographically diverse membership from each of the following groups:

(1) people with disabilities who use waiver services;

- 2.1 (2) family members of people who use waiver services;
- 2.2 (3) disability and behavioral health advocates;
- 2.3 (4) lead agency representatives; and
- 2.4 (5) waiver service providers.

2.5 (b) The assistant commissioner of aging and disability services must attend and participate
 2.6 in meetings of the Waiver Reimagine Advisory Committee.

2.7 (c) The Waiver Reimagine Advisory Committee must have the opportunity to assist
 2.8 collaborate in a meaningful way in developing and providing feedback on proposed plans
 2.9 for waiver reimagine components, including an individual budget methodology, criteria
 2.10 and a process for individualized budget exemptions, the consolidation of the four current
 2.11 home and community-based waiver service programs into two-waiver programs, the role
 2.12 of assessments and the MnCHOICES 2.0 assessment tool in determining service needs and
 2.13 individual budgets, and other aspects of waiver reimagine phase II.

2.14 ~~(e)~~ (d) The Waiver Reimagine Advisory Committee must have an opportunity to assist
 2.15 in the development of and provide feedback on proposed adjustments and modifications to
 2.16 the streamlined menu of services and the existing rate exception criteria and process.

2.17 Subd. 4. **Required report.** Prior to seeking federal approval for any aspect of waiver
 2.18 reimagine phase II and in ~~consultation~~ collaboration with the Waiver Reimagine Advisory
 2.19 Committee, the commissioner must submit to the chairs and ranking minority members of
 2.20 the legislative committees and divisions with jurisdiction over health and human services
 2.21 a report on plans for waiver reimagine phase II. The report must also include any plans to
 2.22 adjust or modify the streamlined menu of services ~~or~~ the existing rate exemption criteria
 2.23 or process, the proposed individual budget ranges, and the role of MnCHOICES 2.0
 2.24 assessment tool in determining service needs and individual budget ranges.

2.25 Subd. 5. **Transition process.** (a) Prior to implementation of wavier reimagine phase II,
 2.26 the commissioner must establish a process to assist people who use waiver services and
 2.27 lead agencies transition to a two-waiver system with an individual budget methodology.

2.28 (b) The commissioner must ensure that the new waiver service menu and individual
 2.29 budgets allow people to live in their own home, family home, or any home and
 2.30 community-based setting of their choice. The commissioner must ensure, ~~within available~~
 2.31 ~~resources and~~ subject to state and federal regulations and law, that waiver reimagine does
 2.32 not result in unintended service disruptions.

3.1 Subd. 6. **Online support planning tool.** The commissioner must develop an online
3.2 support planning and tracking tool for people using disability waiver services that allows
3.3 access to the total budget available to the person, the services for which they are eligible,
3.4 and the services they have chosen and used. The commissioner must explore operability
3.5 options that would facilitate real-time tracking of a person's remaining available budget
3.6 throughout the service year. The online support planning tool must provide information in
3.7 an accessible format to support the person's informed choice. The commissioner must seek
3.8 input from people with disabilities about the online support planning tool prior to its
3.9 implementation.

3.10 Subd. 7. **Curriculum and training.** The commissioner must develop and implement a
3.11 curriculum and training plan to ensure all lead agency assessors and case managers have
3.12 the knowledge and skills necessary to comply with informed decision making for people
3.13 who used home and community-based disability waivers. Training and competency
3.14 evaluations must be completed annually by all staff responsible for case management as
3.15 described in Minnesota Statutes, sections 256B.092, subdivision 1a, paragraph (f), and
3.16 256B.49, subdivision 13, paragraph (e)."

3.17 Amend the title accordingly