

1.1 Senator ..... moves to amend the SCS3054A47 amendment to S.F. No. 3054  
1.2 as follows:

1.3 Page 1, after line 1, insert:

1.4 "Page 167, after line 19, insert:

1.5 "Sec. 2. Minnesota Statutes 2024, section 256B.056, subdivision 3, is amended to read:

1.6 Subd. 3. **Asset limitations for certain individuals.** (a) To be eligible for medical  
1.7 assistance, a person must not individually own more than \$3,000 in assets, or if a member  
1.8 of a household with two family members, spouses, or parent and child, the household must  
1.9 not own more than \$6,000 in assets, plus \$200 for each additional legal dependent. For the  
1.10 purposes of this subdivision, a child eligible under section 256B.055, subdivision 12, is an  
1.11 individual with a household size of one and the child's assets must be determined without  
1.12 consideration of the parents' resources as provided by United States Code, title 42, section  
1.13 1396a(e)(3). In addition to these maximum amounts, an eligible individual or family may  
1.14 accrue interest on these amounts, but they must be reduced to the maximum at the time of  
1.15 an eligibility redetermination. The accumulation of the clothing and personal needs allowance  
1.16 according to section 256B.35 must also be reduced to the maximum at the time of the  
1.17 eligibility redetermination. The value of assets that are not considered in determining  
1.18 eligibility for medical assistance is the value of those assets excluded under the Supplemental  
1.19 Security Income program for aged, blind, and disabled persons, with the following  
1.20 exceptions:

1.21 (1) household goods and personal effects are not considered;

1.22 (2) capital and operating assets of a trade or business that the local agency determines  
1.23 are necessary to the person's ability to earn an income are not considered;

1.24 (3) motor vehicles are excluded to the same extent excluded by the Supplemental Security  
1.25 Income program;

1.26 (4) assets designated as burial expenses are excluded to the same extent excluded by the  
1.27 Supplemental Security Income program. Burial expenses funded by annuity contracts or  
1.28 life insurance policies must irrevocably designate the individual's estate as contingent  
1.29 beneficiary to the extent proceeds are not used for payment of selected burial expenses;

1.30 (5) for a person who no longer qualifies as an employed person with a disability due to  
1.31 loss of earnings, assets allowed while eligible for medical assistance under section 256B.057,  
1.32 subdivision 9, are not considered for 12 months, beginning with the first month of ineligibility  
1.33 as an employed person with a disability;

(6) a designated employment incentives asset account is disregarded when determining eligibility for medical assistance for a person age 65 years or older under section 256B.055, subdivision 7. An employment incentives asset account must only be designated by a person who has been enrolled in medical assistance under section 256B.057, subdivision 9, for a 24-consecutive-month period. A designated employment incentives asset account contains qualified assets owned by the person in the last month of enrollment in medical assistance under section 256B.057, subdivision 9. Qualified assets include retirement and pension accounts, medical expense accounts, and up to \$17,000 of the person's other nonexcluded liquid assets. An employment incentives asset account is no longer designated when a person loses medical assistance eligibility for a calendar month or more before turning age 65. A person who loses medical assistance eligibility before age 65 can establish a new designated employment incentives asset account by establishing a new 24-consecutive-month period of enrollment under section 256B.057, subdivision 9. Persons eligible under this clause are not subject to the provisions in section 256B.059; and

(7) effective July 1, 2009, certain assets owned by American Indians are excluded as required by section 5006 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. For purposes of this clause, an American Indian is any person who meets the definition of Indian according to Code of Federal Regulations, title 42, section 447.50.

(b) No asset limit shall apply to persons eligible under sections 256B.055, subdivision 15, and 256B.057, subdivision 9.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 3. Minnesota Statutes 2024, section 256B.056, subdivision 4, is amended to read:

Subd. 4. **Income.** (a) To be eligible for medical assistance, a person eligible under section 256B.055, subdivisions 7, 7a, and 12, may have income up to 100 percent of the federal poverty guidelines. For the purposes of this section, a child eligible under section 256B.055, subdivision 12, is an individual with a household size of one and the child's income must be determined without consideration of the parents' income as provided by United States Code, title 42, section 1396(e)(3). Effective January 1, 2000, and each successive January, recipients of Supplemental Security Income may have an income up to the Supplemental Security Income standard in effect on that date.

(b) To be eligible for medical assistance under section 256B.055, subdivision 3a, a parent or caretaker relative may have an income up to 133 percent of the federal poverty guidelines for the household size.

(c) To be eligible for medical assistance under section 256B.055, subdivision 15, a person may have an income up to 133 percent of federal poverty guidelines for the household size.

(d) To be eligible for medical assistance under section 256B.055, subdivision 16, a child age 19 to 20 may have an income up to 133 percent of the federal poverty guidelines for the household size.

(e) To be eligible for medical assistance under section 256B.055, subdivision 3a, a child under age 19 may have income up to 275 percent of the federal poverty guidelines for the household size.

(f) In computing income to determine eligibility of persons under paragraphs (a) to (e) who are not residents of long-term care facilities, the commissioner shall disregard increases in income as required by Public Laws 94-566, section 503; 99-272; and 99-509. For persons eligible under paragraph (a), veteran aid and attendance benefits and Veterans Administration unusual medical expense payments are considered income to the recipient.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 4. Minnesota Statutes 2024, section 256B.057, subdivision 12, is amended to read:

Subd. 12. **Presumptive eligibility determinations made by qualified hospitals.** (a) The commissioner shall establish a process to qualify hospitals that are participating providers under the medical assistance program to determine presumptive eligibility for medical assistance for applicants who:

(1) may have a basis of eligibility using the modified adjusted gross income methodology as defined in section 256B.056, subdivision 1a, paragraph (b), clause (1); or

(2) have a presumptive disability determination under subdivision 13 and may have a basis of eligibility using the methodology under section 256B.056, subdivision 1a, paragraph (a).

(b) An infant younger than two years of age who has a presumptive disability determination under subdivision 13 is presumptively eligible for medical assistance under paragraph (a), clause (2).

(c) The period of presumptive eligibility under paragraph (a), clause (2), begins on the date of the applicant's presumptive disability determination and extends until either the last day of the month following the month in which the applicant's presumptive eligibility is approved or, if the applicant submits a regular medical assistance application, until the final

determination of disability by the commissioner's state medical review team according to section 256.01, subdivision 29, or by the federal Social Security Administration. If a final determination of disability is denied by the commissioner's state medical review team or the federal Social Security Administration, a new presumptive eligibility determination under paragraph (a), clause (2), must not be made for that person unless the person's condition has changed.

(d) When calculating the ratio of applicants determined eligible for medical assistance on the basis of a regular application for medical assistance to applicants determined presumptively eligible for medical assistance by the hospital, the commissioner must exclude those applicants whose eligibility for medical assistance is denied based on a final denial of a determination of disability by the commissioner's state medical review team or by the federal Social Security Administration.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 5. Minnesota Statutes 2024, section 256B.057, is amended by adding a subdivision to read:

**Subd. 13. Presumptive disability determinations.** (a) The commissioner shall establish a process to qualify hospitals that are participating providers under the medical assistance program to permit attending physicians of the hospital to submit a written attestation to the commissioner's state medical review team requesting a determination of presumptive disability for medical assistance for applicants who may have a categorical basis of eligibility under section 256B.055, subdivision 12.

(b) The commissioner's state medical review team must make a presumptive determination of disability if the applicant is a patient of the hospital and the applicant's attending physician attests in writing that the applicant screens positive for a condition, including heritable or congenital disorders on the commissioner of health's list of tests to be administered, included on the federal Social Security Administration's list of compassionate allowances conditions.

(c) The commissioner's state medical review team must make the presumptive determination of disability under paragraph (b) within 24 hours of receipt of the written attestation from the applicant's attending physician, including on weekends and holidays.

**EFFECTIVE DATE.** This section is effective July 1, 2025."

Page 176, after line 14, insert:

5.1 "Sec. 8. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES;**  
5.2 **PRESUMPTIVE DISABILITY DETERMINATIONS.**

5.3 (a) By July 1, 2025, the commissioner of human services shall develop and make available  
5.4 on the public website of the Department of Human Services a form attending physicians  
5.5 may use to submit a request for a presumptive disability determination for a medical  
5.6 assistance applicant under Minnesota Statutes, section 256B.057, subdivision 13.

5.7 (b) The commissioner may use Wisconsin Department of Health Services, Division of  
5.8 Medicaid Services, Medicaid Presumptive Disability form, F-10130 (07/2024), as an example  
5.9 during the required development of the request form.

5.10 (c) The commissioner must develop the form such that the form can be submitted  
5.11 electronically, receipt of the electronic submission is immediately acknowledged, the  
5.12 commissioner's state medical review team is immediately notified of the submission, and  
5.13 the state medical review team can immediately access the submission.

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

5.15 Page 1, line 2, delete "7,764,972,000" and insert "7,763,709,000"

5.16 Page 1, line 3, delete "7,919,683,000" and insert "7,768,188,000"

5.17 Page 1, line 4, delete "7,763,011,000" and insert "7,761,748,000"

5.18 Page 1, line 5, delete "7,917,494,000" and insert "5,999,000"

5.19 Page 1, line 6, delete "4,309,000" and insert "3,504,000"

5.20 Page 1, line 7, delete "5,281,000" and insert "4,326,000"

5.21 Page 1, delete lines 8 to 13

5.22 Page 1, line 14, delete "\$3,536,000" and insert "\$2,581,000"

5.23 Page 1, line 15, delete "\$3,352,000" and insert "\$2,397,000"

5.24 Page 1, line 29, delete "5,513,000" and insert "5,055,000"

5.25 Page 1, line 30, delete "3,245,000" and insert "2,705,000"

5.26 Page 1, delete line 31

5.27 Page 2, delete lines 1 to 5

5.28 Page 2, lines 6 and 7, delete "\$3,219,000" and insert "\$2,679,000"

5.29 Page 7, after line 20, insert:

6.1 "Amend the title accordingly"