

1.1 Senator ..... moves to amend S.F. No. 2669 as follows:

1.2 Page 62, delete section 2

1.3 Page 75, line 27, after "under" insert "section 256B.0625," and after "20" insert a comma

1.4 Page 78, after line 11, insert:

1.5 "Section 1. Minnesota Statutes 2024, section 142A.02, subdivision 1, is amended to read:

1.6     **Subdivision 1. Department.** (a) The Department of Children, Youth, and Families is  
1.7     established. The commissioner of children, youth, and families is hereby constituted the  
1.8     "state agency" for the purposes of Title IV of the Social Security Act of the United States  
1.9     and the laws of this state.

1.10     (b) The commissioners of human services and children, youth, and families are hereby  
1.11     constituted the "state agency" and the "joint interagency office" for background studies  
1.12     under chapter 245C.

1.13     (c) The commissioner of children, youth, and families is hereby constituted the "state  
1.14     agency" for the purposes of administering the Child Care and Development Fund.

1.15 Sec. 2. Minnesota Statutes 2024, section 245C.02, subdivision 7, is amended to read:

1.16     **Subd. 7. Commissioner.** "Commissioner" has the meaning given in section 245A.02,  
1.17     subdivision 5 means the commissioner of human services.

1.18 Sec. 3. Minnesota Statutes 2024, section 245C.03, subdivision 6, is amended to read:

1.19     **Subd. 6. Unlicensed home and community-based waiver providers of service to**  
1.20     **seniors and individuals with disabilities.** (a) The commissioner shall conduct background  
1.21     studies of any individual who provides direct contact, as defined in section 245C.02,  
1.22     subdivision 11, under this chapter on any individual who: (1) is an operator or at least a five  
1.23     percent owner and (2) is providing direct contact for services specified in the federally  
1.24     approved home and community-based waiver plans under section 256B.4912 as an employee  
1.25     or volunteer. The individual studied must meet the requirements of this chapter prior to  
1.26     providing waiver services and as part of ongoing enrollment. "Operator" includes but is not  
1.27     limited to managerial officers who oversee the billing, management, or policies of the  
1.28     services provided.

1.29     (b) The requirements in paragraph (a) apply to consumer-directed community supports  
1.30     under section 256B.4911.

2.1 Sec. 4. Minnesota Statutes 2024, section 245C.03, subdivision 13, is amended to read:

2.2 **Subd. 13. Providers of housing stabilization services.** The commissioner shall conduct  
2.3 background studies ~~of any provider of~~ under this chapter on any individual who: (1) is an  
2.4 operator or at least a five percent owner and (2) is providing direct contact housing  
2.5 stabilization services ~~required by~~ under section 256B.051 ~~to have a background study~~  
2.6 ~~completed under this chapter~~ as an employee or volunteer. "Operator" includes but is not  
2.7 limited to managerial officers who oversee the billing, management, or policies of the  
2.8 services provided.

2.9 Sec. 5. Minnesota Statutes 2024, section 245C.03, subdivision 15, is amended to read:

2.10 **Subd. 15. Early intensive developmental and behavioral intervention providers.** The  
2.11 commissioner shall conduct background studies according to this chapter ~~when initiated by~~  
2.12 ~~an~~ on any individual who: (1) is an operator or at least a five percent owner and (2) is  
2.13 providing direct contact for early intensive developmental and behavioral intervention  
2.14 ~~provider services~~ under section 256B.0949 as an employee or volunteer. "Operator" includes  
2.15 but is not limited to managerial officers who oversee the billing, management, or policies  
2.16 of the services provided.

2.17 Sec. 6. Minnesota Statutes 2024, section 245C.04, subdivision 6, is amended to read:

2.18 **Subd. 6. Unlicensed home and community-based waiver providers of service to**  
2.19 **seniors and individuals with disabilities and providers of housing stabilization**  
2.20 **service.** (a) Providers required to initiate background studies under section 256B.4912  
2.21 245C.03, subdivisions 6 and 13 must initiate a study using the electronic system known as  
2.22 NETStudy 2.0 before the individual begins in a position allowing direct contact with persons  
2.23 served by the provider ~~or prior to enrollment or revalidation, or for new providers, prior to~~  
2.24 initial enrollment if the provider has not already initiated background studies as part of the  
2.25 service licensure requirements..

2.26 (b) Except as provided in paragraphs (c) and (d), the providers must initiate a background  
2.27 study annually of an individual required to be studied under section 245C.03, subdivision  
2.28 6.

2.29 (c) After an initial background study under this subdivision is initiated on an individual  
2.30 by a provider of both services licensed by the commissioner and the unlicensed services  
2.31 under this subdivision, a repeat annual background study is not required if:

3.1       (1) the provider maintains compliance with the requirements of section 245C.07,  
3.2       paragraph (a), regarding one individual with one address and telephone number as the person  
3.3       to receive sensitive background study information for the multiple programs that depend  
3.4       on the same background study, and that the individual who is designated to receive the  
3.5       sensitive background information is capable of determining, upon the request of the  
3.6       commissioner, whether a background study subject is providing direct contact services in  
3.7       one or more of the provider's programs or services and, if so, at which location or locations;  
3.8       and

3.9       (2) the individual who is the subject of the background study provides direct contact  
3.10      services under the provider's licensed program for at least 40 hours per year so the individual  
3.11      will be recognized by a probation officer or corrections agent to prompt a report to the  
3.12      commissioner regarding criminal convictions as required under section 245C.05, subdivision  
3.13      7.

3.14      ~~(d) A provider who initiates background studies through NETStudy 2.0 is exempt from~~  
3.15      ~~the requirement to initiate annual background studies under paragraph (b) for individuals~~  
3.16      ~~who are on the provider's active roster.~~

3.17      Sec. 7. Minnesota Statutes 2024, section 245C.04, is amended by adding a subdivision to  
3.18      read:

3.19      Subd. 12. Early intensive developmental and behavioral intervention  
3.20      providers. Providers required to initiate background studies under section 245C.03,  
3.21      subdivision 15, must initiate a study using the electronic system known as NETStudy 2.0  
3.22      before the individual begins in a position operating or allowing direct contact with persons  
3.23      served by the provider or before the individual becomes an operator or acquires five percent  
3.24      or more ownership.

3.25      Sec. 8. Minnesota Statutes 2024, section 245C.08, subdivision 5, is amended to read:

3.26      Subd. 5. Authorization. The commissioner ~~of human services~~ shall be authorized to  
3.27      receive information under this chapter.

3.28      Sec. 9. Minnesota Statutes 2024, section 245C.10, is amended by adding a subdivision to  
3.29      read:

3.30      Subd. 9b. Child foster care and adoption programs. The commissioner shall recover  
3.31      the cost of a background study required for child foster care and adoption studies through

4.1       a fee of no more than \$44 per study. The fees collected under this subdivision are  
4.2       appropriated to the commissioner for the purpose of conducting background studies."

4.3       Page 80, line 4, delete "This section" and insert "The amendment to paragraph (b)" and  
4.4       after the second period, insert "The amendment to paragraph (c), clause (8), is effective  
4.5       August 5, 2025."

4.6       Page 85, after line 30, insert:

4.7       "Sec. 6. Minnesota Statutes 2024, section 245C.22, subdivision 3, is amended to read:

4.8       **Subd. 3. Preeminent weight given to safety of persons being served and program**  
4.9       **integrity.** In reviewing a request for reconsideration of a disqualification, the commissioner  
4.10      shall give preeminent weight to the safety of each person served by the license holder,  
4.11      applicant, or other entities as provided in this chapter, and to program integrity through  
4.12      protection of state and federal funds supporting the program, over the interests of the  
4.13      disqualified individual, license holder, applicant, or other entity as provided in this chapter,  
4.14      and any single factor under subdivision 4, paragraph (b), may be determinative of the  
4.15      commissioner's decision whether to set aside the individual's disqualification."

4.16      Page 93, line 9, delete "when"

4.17      Page 93, line 10, delete everything before the period and insert "on the provider's billing  
4.18      forms"

4.19      Page 108, delete section 12

4.20      Page 110, before line 26, insert:

4.21      "Sec. 13. Minnesota Statutes 2024, section 256B.0949, subdivision 16a, is amended to  
4.22      read:

4.23      **Subd. 16a. Background studies.** An early intensive developmental and behavioral  
4.24      intervention services agency must fulfill any background studies requirements under this  
4.25      section by initiating a background study through the commissioner's NETStudy 2.0 system  
4.26      as provided under ~~sections 245C.03, subdivision 15, and 245C.10, subdivision 17 chapter~~  
4.27      245C and must maintain documentation of background study requests and results.

4.28      Sec. 14. Minnesota Statutes 2024, section 256B.4912, subdivision 1, is amended to read:

4.29      **Subdivision 1. Provider qualifications.** (a) For the home and community-based waivers  
4.30      providing services to seniors and individuals with disabilities under chapter 256S and  
4.31      sections 256B.0913, 256B.092, and 256B.49, the commissioner shall establish:

5.1       (1) agreements with enrolled waiver service providers to ensure providers meet Minnesota  
5.2       health care program requirements;

5.3       (2) regular reviews of provider qualifications, and including requests of proof of  
5.4       documentation; and

5.5       (3) processes to gather the necessary information to determine provider qualifications.

5.6       (b) A provider shall not require or coerce any service recipient to change waiver programs  
5.7       or move to a different location, consistent with the informed choice and independent living  
5.8       policies under section 256B.4905, subdivisions 1a, 2a, 3a, 7, and 8.

5.9       (c) Beginning July 1, 2012, For staff that provide direct contact, as defined in section  
5.10      245C.02, subdivision 11, for services specified in the federally approved waiver plans,  
5.11      providers must meet the requirements of chapter 245C prior to providing waiver services  
5.12      and as part of ongoing enrollment. Upon federal approval, and maintain documentation of  
5.13      background study requests and results this requirement must also apply applies to  
5.14      consumer-directed community supports.

5.15       (d) Beginning January 1, 2014, Service owners and managerial officials overseeing the  
5.16       management or policies of services that provide direct contact as specified in the federally  
5.17       approved waiver plans must meet the requirements of chapter 245C prior to reenrollment  
5.18       or revalidation or, for new providers, prior to initial enrollment if they have not already  
5.19       done so as a part of service licensure requirements."

5.20       Page 125, line 22, delete "435,545,000" and insert "432,672,000" and delete  
5.21       "433,094,000" and insert "430,240,000"

5.22       Page 125, line 25, delete "270,286,000" and insert "267,413,000" and delete  
5.23       "269,015,000" and insert "266,161,000"

5.24       Page 126, line 2, delete "291,524,000" and insert "288,651,000" and delete "288,655,000"  
5.25       and insert "285,801,000"

5.26       Page 126, line 4, delete "215,788,000" and insert "212,915,000" and delete "213,865,000"  
5.27       and insert "211,011,000"

5.28       Page 126, after line 22, insert:

5.29       "Subd. 4. Base Level Adjustments. The general fund base is \$284,688,000 in fiscal  
5.30       year 2028 and \$284,688,000 in fiscal year 2029."

5.31       Page 130, line 3, delete "5,592,495,000" and insert "5,890,971,000" and delete  
5.32       "5,934,084,000" and insert "6,200,483,000"

6.1        Page 130, line 7, delete "4,417,305,000" and insert "4,688,772,000" and delete  
6.2        "4,843,930,000" and insert "5,065,960,000"

6.3        Page 130, line 10, delete "1,170,519,000" and insert "1,197,528,000" and delete  
6.4        "1,085,483,000" and insert "1,129,852,000"

6.5        Page 131, line 17, delete "180,979,000" and insert "180,706,000" and delete  
6.6        "186,544,000" and insert "186,016,000"

6.7        Page 131, line 19, delete "149,398,000" and insert "149,125,000" and delete  
6.8        "153,436,000" and insert "152,908,000"

6.9        Page 132, line 20, delete "153,043,000" and insert "152,337,000"

6.10       Page 132, line 21, delete "154,147,000" and insert "153,268,000"

6.11       Page 132, line 22, delete "76,557,000" and insert "88,347,000" and delete "69,348,000"  
6.12       and insert "81,095,000"

6.13       Page 132, line 24, delete "48,389,000" and insert "60,179,000" and delete "41,180,000"  
6.14       and insert "52,927,000"

6.15       Page 133, line 1, delete "31,936,000" and insert "36,706,000" and delete "32,415,000"  
6.16       and insert "37,986,000"

6.17       Page 133, line 3, delete "27,150,000" and insert "31,920,000" and delete "27,629,000"  
6.18       and insert "33,200,000"

6.19       Page 133, line 10, delete "27,685,000" and insert "33,256,000"

6.20       Page 133, line 11, delete "27,631,000" and insert "33,202,000"

6.21       Page 133, line 13, delete "82,545,000" and insert "84,138,000" and delete "84,802,000"  
6.22       and insert "86,462,000"

6.23       Page 133, line 21, delete "267,065,000" and insert "269,258,000" and delete  
6.24       "277,747,000" and insert "279,703,000"

6.25       Page 133, line 23, delete "79,312,000" and insert "106,321,000" and delete "130,969,000"  
6.26       and insert "175,338,000"

6.27       Page 133, line 27, delete "4,613,487,000" and insert "4,717,814,000" and delete  
6.28       "4,890,717,000" and insert "4,945,274,000"

6.29       Page 133, line 29, delete "3,585,772,000" and insert "3,690,099,000" and delete  
6.30       "4,001,222,000" and insert "4,055,779,000"

7.1        Page 134, line 8, delete "2,655,000" and insert "5,655,000" and delete "2,655,000" and  
7.2        insert "5,655,000"

7.3        Page 134, line 12, delete "635,000" and insert "110,852,000" and delete "635,000" and  
7.4        insert "110,852,000"

7.5        Page 134, line 14, delete "277,000" and insert "34,925,000" and delete "277,000" and  
7.6        insert "34,925,000"

7.7        Page 134, line 16, delete "6,000,000" and insert "8,220,000" and delete "-0-" and insert  
7.8        "2,220,000"

7.9        Page 138, after line 18, insert:

7.10        **"Appropriations by Fund**

7.11        General                            70,000                            70,000

7.12        Health Care Access                15,000,000                            0"

7.13        Page 138, after line 20, insert:

7.14        **"ARTICLE 11**

7.15        **MISCELLANEOUS**

7.16        Section 1. Minnesota Statutes 2024, section 256B.051, subdivision 3, is amended to read:

7.17        Subd. 3. **Eligibility.** An individual with a disability is eligible for housing stabilization  
7.18        services if the individual:

7.19        (1) is 18 years of age or older;

7.20        (2) is enrolled in medical assistance;

7.21        (3) has income at or below 150 percent of the federal poverty level;

7.22        (4) has an assessment of functional need that determines a need for services due to  
7.23        limitations caused by the individual's disability;

7.24        (4) (5) resides in or plans to transition to a community-based setting as defined in Code  
7.25        of Federal Regulations, title 42, section 441.301 (c); and

7.26        (5) (6) has housing instability evidenced by:

7.27        (i) being homeless or at-risk of homelessness;

7.28        (ii) being in the process of transitioning from, or having transitioned in the past six  
7.29        months from, an institution or licensed or registered setting;

- 8.1        (iii) being eligible for waiver services under chapter 256S or section 256B.092 or
- 8.2        256B.49; or
- 8.3        (iv) having been identified by a long-term care consultation under section 256B.0911
- 8.4        as at risk of institutionalization."

8.5        Renumber the sections in sequence and correct the internal references

8.6        Amend the title accordingly