

1.1 **Senator Hoffman from the Committee on Human Services, to which was referred**

1.2 **S.F. No. 2439:** A bill for an act relating to human services; requiring establishment of
1.3 certain rates; modifying commissioner duties for certain day services; requiring case manager
1.4 evaluation on informed decision making; correcting cross-references; amending Minnesota
1.5 Statutes 2024, sections 252.43; 252.46, subdivision 1a; 256B.092, subdivisions 1a, 11a;
1.6 256B.49, subdivisions 13, 29.

1.7 Reports the same back with the recommendation that the bill be amended as follows:

1.8 Page 1, after line 7, insert:

1.9 "Section 1. Minnesota Statutes 2024, section 252.28, subdivision 2, is amended to read:

1.10 Subd. 2. **Rules; program standards; licenses.** The commissioner of human services
1.11 shall:

1.12 (1) Establish uniform rules and program standards for each type of residential and day
1.13 facility or service for persons with developmental disabilities, including state hospitals under
1.14 control of the executive board and serving persons with developmental disabilities, and
1.15 excluding persons with developmental disabilities residing with their families.

1.16 (2) Grant licenses according to the provisions of ~~Laws 1976, chapter 243, sections 2 to~~
1.17 ~~13~~ chapter 245A.

1.18 Sec. 2. Minnesota Statutes 2024, section 252.41, subdivision 3, is amended to read:

1.19 Subd. 3. **Day services for adults with disabilities.** (a) "Day services for adults with
1.20 disabilities" or "day services" means services that:

1.21 (1) include supervision, training, assistance, support, facility-based work-related activities,
1.22 or other community-integrated activities designed and implemented in accordance with the
1.23 support plan and support plan addendum required under sections ~~245D.02, subdivision 4,~~
1.24 ~~paragraphs (b) and (c),~~ 245D.02, subdivisions 4b and 4c, and 256B.092, subdivision 1b,
1.25 and Minnesota Rules, part 9525.0004, subpart 12, to help an adult reach and maintain the
1.26 highest possible level of independence, productivity, and integration into the community;

1.27 (2) include day support services, prevocational services, ~~day training and habilitation~~
1.28 ~~services,~~ structured day services, and adult day services as defined in Minnesota's federally
1.29 approved disability waiver plans; ~~and~~

1.30 (3) include day training and habilitation services; and

(4) are provided by a vendor licensed under sections 245A.01 to 245A.16, 245D.27 to 245D.31, 252.28, subdivision 2, or 252.41 to 252.46, or Minnesota Rules, parts 9525.1200 to 9525.1330, to provide day services.

(b) Day services reimbursable under this section do not include special education and related services as defined in the Education of the Individuals with Disabilities Act, United States Code, title 20, chapter 33, section 1401, clauses (6) and (17), or vocational services funded under section 110 of the Rehabilitation Act of 1973, United States Code, title 29, section 720, as amended.

(c) Day services do not include employment exploration, employment development, or employment support services as defined in the home and community-based services waivers for people with disabilities authorized under sections 256B.092 and 256B.49.

Sec. 3. Minnesota Statutes 2024, section 252.42, is amended to read:

252.42 SERVICE PRINCIPLES.

The design and delivery of services eligible for reimbursement should reflect the following principles:

(1) services must suit a person's chronological age and be provided in the least restrictive environment possible, consistent with the needs identified in the person's support plan and support plan addendum required under sections 256B.092, subdivision 1b, and ~~245D.02, subdivision 4, paragraphs (b) and (c)~~ 245D.02, subdivisions 4b and 4c, and Minnesota Rules, part 9525.0004, subpart 12;

(2) a person with a disability whose individual support plans and support plan addendums authorize employment or employment-related activities shall be given the opportunity to participate in employment and employment-related activities in which nondisabled persons participate;

(3) a person with a disability participating in work shall be paid wages commensurate with the rate for comparable work and productivity except as regional centers are governed by section 246.151;

(4) a person with a disability shall receive services which include services offered in settings used by the general public and designed to increase the person's active participation in ordinary community activities;

(5) a person with a disability shall participate in the patterns, conditions, and rhythms of everyday living and working that are consistent with the norms of the mainstream of society."

Page 1, line 12, strike "programs" and insert "services"

Page 1, strike line 15

Renumber the clauses in sequence

Page 2, after line 5, insert:

"Sec. 5. Minnesota Statutes 2024, section 252.44, is amended to read:

252.44 LEAD AGENCY BOARD RESPONSIBILITIES.

When the need for day services in a county or tribe has been determined under section ~~252.28~~ 252.43, the board of commissioners for that lead agency shall:

(1) authorize the delivery of day services according to the support plans and support plan addendums required as part of the lead agency's provision of case management services under sections ~~256B.0913, subdivision 8;~~ 256B.092, subdivision 1b; 256B.49, subdivision 15; and ~~256S.10~~ and Minnesota Rules, parts 9525.0004 to 9525.0036;

(2) ensure that transportation is provided or arranged by the vendor in the most efficient and reasonable way possible; and

(3) monitor and evaluate the cost and effectiveness of the services.

Sec. 6. Minnesota Statutes 2024, section 252.45, is amended to read:

252.45 VENDOR'S DUTIES.

A day service vendor enrolled with the commissioner is responsible for items under clauses (1), (2), and (3), and extends only to the provision of services that are reimbursable under state and federal law. A vendor providing day services shall:

(1) provide the amount and type of services authorized in the individual service plan under the support plan and support plan addendum required under sections ~~245D.02, subdivision 4, paragraphs (b) and (c)~~ 245D.02, subdivisions 4b and 4c, and 256B.092, subdivision 1b, and Minnesota Rules, part 9525.0004, subpart 12;

(2) design the services to achieve the outcomes assigned to the vendor in the support plan and support plan addendum required under sections ~~245D.02, subdivision 4, paragraphs~~

4.1 ~~(a) and (b)~~ 245D.02, subdivisions 4b and 4c, and 256B.092, subdivision 1b, and Minnesota
4.2 Rules, part 9525.0004, subpart 12;

4.3 (3) provide or arrange for transportation of persons receiving services to and from service
4.4 sites;

4.5 (4) enter into agreements with community-based intermediate care facilities for persons
4.6 with developmental disabilities to ensure compliance with applicable federal regulations;
4.7 and

4.8 (5) comply with state and federal law."

4.9 Page 4, line 20, after "annually" insert "complete an informed choice curriculum and"

4.10 Page 4, line 21, delete "topics" and insert "standards"

4.11 Page 7, line 22, after "annually" insert "complete an informed choice curriculum and"

4.12 Page 7, line 23, delete "topics" and insert "standards"

4.13 Renumber the sections in sequence

4.14 Amend the title as follows:

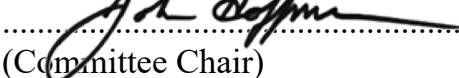
4.15 Page 1, line 2, delete everything after the semicolon and insert "modifying provisions
4.16 relating to aging and disability services;"

4.17 Page 1, delete line 3

4.18 Page 1, line 4, delete everything before the second semicolon and insert "correcting
4.19 cross-references; making conforming and technical changes"

4.20 Amend the title numbers accordingly

4.21 And when so amended the bill do pass. Amendments adopted. Report adopted.

4.22 
4.23 (Committee Chair)

4.24 March 17, 2025.....
4.25 (Date of Committee recommendation)