



April 4, 2025

The Honorable John A. Hoffman
Chair, Human Services Committee
Minnesota Senate
2111 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Jordan Rasmusson
Ranking Minority Member, Human Services Committee
Minnesota Senate
2409 Minnesota Senate Bldg.
St. Paul, MN 55155

Legal Aid/Minnesota Disability Law Center Letter Regarding SF 1127

Dear Chair Hoffman, Ranking Minority Member Rasmusson, and Members of the Committee:

Legal Aid and the Minnesota Disability Law Center (MDLC) are honored to provide written testimony and support for SF 1127, the “Damon Leivestad Direct Care Sustainability Act.” Damon was a fierce advocate for himself and his community, and this bill reflects the causes that he championed. We support the entirety of this bill.

The first section of this bill would eliminate two penalties for working Minnesotans with disabilities at retirement age—poverty and, sometimes, divorce. For Minnesotans who use Medical Assistance for Employed Persons with Disabilities (MA-EPD) to get the supports they need to work, retirement is not something to look forward to. It means the end of MA without spenddowns and asset limits. If a person managed to pay their MA-EPD premiums and save money for retirement or emergencies, that money will quickly disappear in the first months they no longer qualify for MA-EPD. If they are married to a non-disabled spouse, there is a choice to be made—divorce to protect assets or stay married and live in poverty? This a choice no couple should have to make to continue to receive healthcare.

We also strongly support the elimination of MA-EPD premiums. These premiums create an unnecessary barrier and hardship. Minnesotans with disabilities are charged premiums for a crucial program which is needed to receive the home and community-based services required to get to work and live independently. Even if a person with disabilities receives health care benefits through their employer, home and community-based waiver services are not covered by the majority of these plans. This means a person with disabilities often has to pay two premiums—for health insurance through their employer and another for MA-EPD. Last biennium, there was bipartisan agreement that MA-EPD premiums should be eliminated. But for a last-minute error, they would have been. This bill would assist Minnesotans struggling to make ends meet to continue to receive vital home and community-based services even if they are struggling financially.

Changes to the Community First Services and Supports program (enhanced rates and coverage of acute hospital stays) is an important step towards alleviating burnout and raising the quality of care for people with disabilities. Reimbursement rates that do not keep up with the times lead to burnout, create wage instability, and force dedicated workers out of the field. People with disabilities lose their trusted, high-quality support professionals. This, in turn, forces some into more restrictive congregate settings. In addition, Minnesota's overburdened hospital system does not have the staff resources to provide the specialty care that many people with disabilities need when they are hospitalized. Allowing CFSS staff to be reimbursed for cares provided during a hospital stay will help ensure the wellbeing of people with disabilities who are experiencing a health crisis.

Thank you for the opportunity to submit written testimony regarding SF 1127, the "Damon Leivestad Direct Care Sustainability Act."

Sincerely,



Jennifer Purrington
Legal Director/Deputy Director
Minnesota Disability Law Center



Ellen Smart
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Legal Services Advocacy Project

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