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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 1345**

03/07/2013 Authored by Moran, Abeler, Loeffler and Allen

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

04/02/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act  
1.2 relating to human services; modifying provisions related to health care and health  
1.3 disparities; requiring reports; appropriating money; amending Minnesota Statutes  
1.4 2012, sections 62Q.19, subdivision 3; 62U.02, subdivisions 1, 3; 145.928,  
1.5 by adding a subdivision; 256B.06, subdivision 4, by adding a subdivision;  
1.6 256B.0625, by adding a subdivision; 256B.0651, by adding subdivisions;  
1.7 256B.76, subdivision 4, by adding a subdivision; 256B.763; proposing coding  
1.8 for new law in Minnesota Statutes, chapter 256B.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2012, section 62Q.19, subdivision 3, is amended to read:

1.11 Subd. 3. ~~Health plan company~~ **Essential community provider affiliation.** A  
1.12 health plan company, MinnesotaCare participating entity, or health carrier offering a  
1.13 qualified health plan through the Minnesota Insurance Marketplace must offer a provider  
1.14 contract to any designated essential community provider located within the area served  
1.15 by the health plan company. A health plan company shall not restrict enrollee access to  
1.16 services designated to be provided by the essential community provider for the population  
1.17 that the essential community provider is certified to serve. A health plan company may  
1.18 also make other providers available for these services. A health plan company may require  
1.19 an essential community provider to meet all data requirements, utilization review, and  
1.20 quality assurance requirements on the same basis as other health plan providers.

1.21 Sec. 2. Minnesota Statutes 2012, section 62U.02, subdivision 1, is amended to read:

1.22 Subdivision 1. **Development.** (a) The commissioner of health shall develop a  
1.23 standardized set of measures by which to assess the quality of health care services offered  
1.24 by health care providers, including health care providers certified as health care homes  
1.25 under section 256B.0751. Quality measures must be based on medical evidence and be

2.1 developed through a process in which providers participate. The measures shall be used  
2.2 for the quality incentive payment system developed in subdivision 2 and must:

2.3 (1) include uniform definitions, measures, and forms for submission of data, to the  
2.4 greatest extent possible;

2.5 (2) seek to avoid increasing the administrative burden on health care providers;

2.6 (3) be initially based on existing quality indicators for physician and hospital  
2.7 services, which are measured and reported publicly by quality measurement organizations,  
2.8 including, but not limited to, Minnesota Community Measurement and specialty societies;

2.9 (4) place a priority on measures of health care outcomes, rather than process  
2.10 measures, wherever possible; ~~and~~

2.11 (5) incorporate measures for primary care, including preventive services, coronary  
2.12 artery and heart disease, diabetes, asthma, depression, and other measures as determined  
2.13 by the commissioner;

2.14 (6) ensure that measures are collected and reported by categories of race, ethnicity,  
2.15 language, and other patient characteristics that are known to be correlated with poorer  
2.16 health, access, and quality of care for particular groups of patients, so that the data is  
2.17 useful in identifying and eliminating health disparities; and

2.18 (7) ensure that measures used for public reporting or payment incentives are  
2.19 adjusted for patient characteristics that are known to be correlated with poorer health,  
2.20 access, and quality of care, so that quality reports and payment incentives do not create a  
2.21 disadvantage for providers who serve high concentrations of patients who experience the  
2.22 greatest health disparities.

2.23 (b) The measures shall be reviewed at least annually by the commissioner.

2.24 (c) The commissioner shall ensure that the data collected is sufficient to allow for  
2.25 the calculation and reporting of measures by categories of race, ethnicity, language, and  
2.26 other relevant variables.

2.27 Sec. 3. Minnesota Statutes 2012, section 62U.02, subdivision 3, is amended to read:

2.28 Subd. 3. **Quality transparency.** The commissioner shall establish standards for  
2.29 measuring health outcomes, establish a system for risk adjusting quality measures, and  
2.30 issue annual public reports on provider quality beginning July 1, 2010. The risk adjustment  
2.31 system for quality measures must include patient characteristics known to be correlated  
2.32 with poorer health, access, quality of care, and other relevant variables. By January 1,  
2.33 2010, physician clinics and hospitals shall submit standardized electronic information  
2.34 on the outcomes and processes associated with patient care to the commissioner or the  
2.35 commissioner's designee. In addition to measures of care processes and outcomes, the

3.1 report may include other measures designated by the commissioner, including, but not  
3.2 limited to, care infrastructure and patient satisfaction. The commissioner shall ensure  
3.3 that any quality data reporting requirements established under this subdivision are not  
3.4 duplicative of publicly reported, communitywide quality reporting activities currently  
3.5 under way in Minnesota. Nothing in this subdivision is intended to replace or duplicate  
3.6 current privately supported activities related to quality measurement and reporting in  
3.7 Minnesota.

3.8 Sec. 4. Minnesota Statutes 2012, section 145.928, is amended by adding a subdivision  
3.9 to read:

3.10 Subd. 15. **Health disparities.** The commissioner of health, in consultation with  
3.11 the commissioner of human services, shall complete an assessment of the methods used  
3.12 by state agencies and the legislature to obtain advice and input from the public on health  
3.13 care programs, policies, and legislation to determine the extent to which the methods  
3.14 used are effective in obtaining advice and input from those patients and populations that  
3.15 experience the greatest health disparities, compared to other patients and populations. The  
3.16 commissioner shall submit a report to the legislature by December 15, 2013, that includes  
3.17 the assessment and comparison of existing public input activities and identifies a range  
3.18 of options for ways of improving public input and advice from patients and populations  
3.19 experiencing the greatest health disparities.

3.20 Sec. 5. Minnesota Statutes 2012, section 256B.06, subdivision 4, is amended to read:

3.21 Subd. 4. **Citizenship requirements.** (a) Eligibility for medical assistance is limited  
3.22 to citizens of the United States, qualified noncitizens as defined in this subdivision, and  
3.23 other persons residing lawfully in the United States. Citizens or nationals of the United  
3.24 States must cooperate in obtaining satisfactory documentary evidence of citizenship or  
3.25 nationality according to the requirements of the federal Deficit Reduction Act of 2005,  
3.26 Public Law 109-171.

3.27 (b) "Qualified noncitizen" means a person who meets one of the following  
3.28 immigration criteria:

3.29 (1) admitted for lawful permanent residence according to United States Code, title 8;

3.30 (2) admitted to the United States as a refugee according to United States Code,  
3.31 title 8, section 1157;

3.32 (3) granted asylum according to United States Code, title 8, section 1158;

3.33 (4) granted withholding of deportation according to United States Code, title 8,  
3.34 section 1253(h);

4.1 (5) paroled for a period of at least one year according to United States Code, title 8,  
4.2 section 1182(d)(5);

4.3 (6) granted conditional entrant status according to United States Code, title 8,  
4.4 section 1153(a)(7);

4.5 (7) determined to be a battered noncitizen by the United States Attorney General  
4.6 according to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996,  
4.7 title V of the Omnibus Consolidated Appropriations Bill, Public Law 104-200;

4.8 (8) is a child of a noncitizen determined to be a battered noncitizen by the United  
4.9 States Attorney General according to the Illegal Immigration Reform and Immigrant  
4.10 Responsibility Act of 1996, title V, of the Omnibus Consolidated Appropriations Bill,  
4.11 Public Law 104-200; or

4.12 (9) determined to be a Cuban or Haitian entrant as defined in section 501(e) of Public  
4.13 Law 96-422, the Refugee Education Assistance Act of 1980.

4.14 (c) All qualified noncitizens who were residing in the United States before August  
4.15 22, 1996, who otherwise meet the eligibility requirements of this chapter, are eligible for  
4.16 medical assistance with federal financial participation.

4.17 (d) Beginning December 1, 1996, qualified noncitizens who entered the United  
4.18 States on or after August 22, 1996, and who otherwise meet the eligibility requirements  
4.19 of this chapter are eligible for medical assistance with federal participation for five years  
4.20 if they meet one of the following criteria:

4.21 (1) refugees admitted to the United States according to United States Code, title 8,  
4.22 section 1157;

4.23 (2) persons granted asylum according to United States Code, title 8, section 1158;

4.24 (3) persons granted withholding of deportation according to United States Code,  
4.25 title 8, section 1253(h);

4.26 (4) veterans of the United States armed forces with an honorable discharge for  
4.27 a reason other than noncitizen status, their spouses and unmarried minor dependent  
4.28 children; or

4.29 (5) persons on active duty in the United States armed forces, other than for training,  
4.30 their spouses and unmarried minor dependent children.

4.31 Beginning July 1, 2010, children and pregnant women who are noncitizens  
4.32 described in paragraph (b) or who are lawfully present in the United States as defined  
4.33 in Code of Federal Regulations, title 8, section 103.12, and who otherwise meet  
4.34 eligibility requirements of this chapter, are eligible for medical assistance with federal  
4.35 financial participation as provided by the federal Children's Health Insurance Program  
4.36 Reauthorization Act of 2009, Public Law 111-3.

5.1 (e) Nonimmigrants who otherwise meet the eligibility requirements of this chapter  
5.2 are eligible for the benefits as provided in paragraphs (f) to (h). For purposes of this  
5.3 subdivision, a "nonimmigrant" is a person in one of the classes listed in United States  
5.4 Code, title 8, section 1101(a)(15).

5.5 (f) Payment shall also be made for care and services that are furnished to noncitizens,  
5.6 regardless of immigration status, who otherwise meet the eligibility requirements of  
5.7 this chapter, if such care and services are necessary for the treatment of an emergency  
5.8 medical condition.

5.9 (g) For purposes of this subdivision, the term "emergency medical condition" means  
5.10 a medical condition that meets the requirements of United States Code, title 42, section  
5.11 1396b(v).

5.12 (h)(1) Notwithstanding paragraph (g), services that are necessary for the treatment  
5.13 of an emergency medical condition are limited to the following:

5.14 (i) services delivered in an emergency room or by an ambulance service licensed  
5.15 under chapter 144E that are directly related to the treatment of an emergency medical  
5.16 condition;

5.17 (ii) services delivered in an inpatient hospital setting following admission from an  
5.18 emergency room or clinic for an acute emergency condition; and

5.19 (iii) ~~follow-up services that are directly related to the original service provided to~~  
5.20 ~~treat the emergency medical condition and are covered by the global payment made to the~~  
5.21 ~~provider~~ provided after discharge from an emergency room or inpatient hospital setting  
5.22 that are necessary to prevent recurrence of a medical emergency.

5.23 (2) Services for the treatment of emergency medical conditions do not include:

5.24 (i) services delivered in an emergency room or inpatient setting to treat a  
5.25 nonemergency condition;

5.26 (ii) organ transplants, stem cell transplants, and related care;

5.27 (iii) services for routine prenatal care;

5.28 (iv) continuing care, including long-term care, nursing facility services, home  
5.29 health care, adult day care, day training, or supportive living services, except follow-up  
5.30 services in these categories that are covered if they are provided after discharge from an  
5.31 emergency room or inpatient hospital setting and are necessary to prevent recurrence  
5.32 of a medical emergency;

5.33 (v) elective surgery;

5.34 (vi) outpatient prescription drugs, unless the drugs are administered or dispensed as  
5.35 part of an emergency room visit;

5.36 (vii) preventative health care and family planning services;

6.1 (viii) dialysis, except as medically necessary after discharge from an emergency  
6.2 room or inpatient hospital setting to prevent recurrence of a medical emergency;

6.3 (ix) chemotherapy or therapeutic radiation services, except as medically necessary  
6.4 after discharge from an emergency room or inpatient hospital setting to prevent recurrence  
6.5 of a medical emergency;

6.6 (x) rehabilitation services;

6.7 (xi) physical, occupational, or speech therapy;

6.8 (xii) transportation services;

6.9 (xiii) case management;

6.10 (xiv) prosthetics, orthotics, durable medical equipment, or medical supplies;

6.11 (xv) dental services, except as medically necessary after discharge from an  
6.12 emergency room or inpatient hospital setting to prevent recurrence of a medical emergency;

6.13 (xvi) hospice care;

6.14 (xvii) audiology services and hearing aids;

6.15 (xviii) podiatry services;

6.16 (xix) chiropractic services;

6.17 (xx) immunizations;

6.18 (xxi) vision services and eyeglasses;

6.19 (xxii) waiver services;

6.20 (xxiii) individualized education programs; or

6.21 (xxiv) chemical dependency treatment.

6.22 (3) Following treatment for an emergency medical condition treated in an emergency  
6.23 room or inpatient hospital setting, the patient's physician or dentist may submit a care plan  
6.24 certification request for necessary follow-up care to the commissioner of human services  
6.25 medical review agent for approval.

6.26 (i) Beginning July 1, 2009, pregnant noncitizens who are undocumented,  
6.27 nonimmigrants, or lawfully present in the United States as defined in Code of Federal  
6.28 Regulations, title 8, section 103.12, are not covered by a group health plan or health  
6.29 insurance coverage according to Code of Federal Regulations, title 42, section 457.310,  
6.30 and who otherwise meet the eligibility requirements of this chapter, are eligible for  
6.31 medical assistance through the period of pregnancy, including labor and delivery, and 60  
6.32 days postpartum, to the extent federal funds are available under title XXI of the Social  
6.33 Security Act, and the state children's health insurance program.

6.34 (j) Beginning October 1, 2003, persons who are receiving care and rehabilitation  
6.35 services from a nonprofit center established to serve victims of torture and are otherwise  
6.36 ineligible for medical assistance under this chapter are eligible for medical assistance

7.1 without federal financial participation. These individuals are eligible only for the period  
7.2 during which they are receiving services from the center. Individuals eligible under this  
7.3 paragraph shall not be required to participate in prepaid medical assistance.

7.4 Sec. 6. Minnesota Statutes 2012, section 256B.06, is amended by adding a subdivision  
7.5 to read:

7.6 Subd. 6. **Enrollment in coverage program.** Persons who are eligible for payment  
7.7 under subdivision 4, paragraphs (e) and (f), are eligible to enroll in a coverage program  
7.8 administered by the commissioner under section 256B.0612.

7.9 Sec. 7. **[256B.0612] HEALTH CARE FOR UNINSURED PERSONS.**

7.10 Subdivision 1. **Enrollment; services.** Persons who are eligible for payment under  
7.11 section 256B.06, subdivision 4, paragraphs (e) and (f), are eligible to enroll in the Voyager  
7.12 health coverage program administered by the commissioner, through which payment shall  
7.13 be made to enrolled providers for the services authorized in section 256B.06, subdivision 4,  
7.14 and in this subdivision and subdivision 2, that are medically necessary for treatment of an  
7.15 emergency medical condition, as defined in section 256B.06, subdivision 4, paragraph (g),  
7.16 to the extent these services are not otherwise covered under section 256B.06, subdivision 4:

7.17 (1) physician services;

7.18 (2) federally qualified health center services;

7.19 (3) rural health clinic services;

7.20 (4) nursing facility services;

7.21 (5) home and community-based waiver services;

7.22 (6) dental services;

7.23 (7) prescription drugs and pharmacy services;

7.24 (8) mental health services; and

7.25 (9) care coordination provided by a certified health care home.

7.26 Subd. 2. **Additional services.** In addition to services that are covered under  
7.27 subdivision 1 and section 256B.06, subdivision 4, the commissioner may authorize  
7.28 payment for the additional services listed in Code of Federal Regulations, title 42, section  
7.29 440.225, if determined by the commissioner to be medically necessary for the treatment  
7.30 of an emergency medical condition after a case review process administered by the  
7.31 commissioner.

7.32 Subd. 3. **Required coverage.** The services covered under subdivisions 1 and 2 are  
7.33 covered whether or not the patient previously was treated in an emergency department  
7.34 or inpatient hospital for the emergency medical condition, if the services are medically

8.1 necessary for the treatment of an emergency medical condition, and the absence of the  
8.2 services could reasonably be expected to result in:

- 8.3 (1) placing the patient's health in serious jeopardy;  
8.4 (2) serious impairment to bodily functions; or  
8.5 (3) serious dysfunction of any bodily organ or part.

8.6 Subd. 4. **Contract.** (a) The commissioner may contract with a health plan,  
8.7 provider network, nonprofit coverage program, county or group of counties, or health  
8.8 care delivery system established under sections 256B.0755 or 256B.0756 to administer  
8.9 the coverage program authorized under this section, and may delegate to the contractor  
8.10 the responsibility to perform case reviews and authorize payment. The commissioner  
8.11 may contract under this subdivision on a capitated or fixed budget basis under which the  
8.12 contractor is responsible for providing the covered services to eligible persons within  
8.13 the limits of the capitation or payment amount. The commissioner may also contract  
8.14 using gain-sharing and risk-sharing methods authorized for demonstration projects  
8.15 established under sections 256B.0755 and 256B.0756. If the commissioner contracts on a  
8.16 capitated, fixed-fee payment, or gain-sharing or risk-sharing method, the commissioner  
8.17 shall withhold up to five percent of the payment amount, to be paid only if the contractor  
8.18 achieves standards for quality and cost that are comparable to those required of health care  
8.19 delivery system projects under sections 256B.0755 and 256B.0756.

8.20 (b) The commissioner shall separate nursing facility services and pharmacy services  
8.21 from other covered services in order to provide payment for these services under the  
8.22 commissioner's fee-for-service payment system instead of payment to the contracted  
8.23 entity. The commissioner may administer the program through a fee-for-service payment  
8.24 system without a health plan, provider network, coverage program, county or group of  
8.25 counties, or health care delivery system in rural areas and other regions where these  
8.26 options are not feasible or appropriate.

8.27 (c) The commissioner shall ensure that in every case an eligible person is able to  
8.28 choose to receive covered services, including services covered under subdivision 2, from  
8.29 an essential community provider, as defined in section 62Q.19, and that the terms of  
8.30 participation of the essential community provider in the health plan, provider network,  
8.31 nonprofit coverage program, county or group of counties, or health care delivery system  
8.32 that has a contract to administer the program under this section are in conformance with  
8.33 the requirements of section 62Q.19.

8.34 Subd. 5. **Federal match.** The commissioner shall seek federal financial participation  
8.35 on all services covered under section 256B.06, subdivision 4, and this section to the extent

9.1 permitted under federal law. Services for which federal financial participation is not  
9.2 available shall be paid for through state appropriations provided for this purpose.

9.3 Subd. 6. **Coverage subject to appropriation.** Coverage under this section shall be  
9.4 authorized by the commissioner to the extent that appropriations made for this purpose are  
9.5 sufficient to cover all services. If appropriations are not sufficient to cover all services, the  
9.6 commissioner may exclude certain services from coverage or limit the number of persons  
9.7 eligible to receive payment for certain services, or both.

9.8 Sec. 8. Minnesota Statutes 2012, section 256B.0625, is amended by adding a  
9.9 subdivision to read:

9.10 Subd. 61. **Payment for multiple services provided on the same day.** The  
9.11 commissioner shall not prohibit payment, including supplemental payments, for mental  
9.12 health services or dental services provided to a patient by a clinic or health care  
9.13 professional solely because the mental health or dental services were provided on the same  
9.14 day as other covered health services furnished by the same provider.

9.15 Sec. 9. Minnesota Statutes 2012, section 256B.0651, is amended by adding a  
9.16 subdivision to read:

9.17 Subd. 18. **Critical access home care services payment rate.** Effective for  
9.18 home care services delivered on or after July 1, 2013, the commissioner shall increase  
9.19 reimbursements for home care service providers designated by the commissioner to be  
9.20 critical access home care providers by 30 percent above the reimbursement rate that would  
9.21 otherwise be paid to the critical access home care provider. The commissioner shall pay  
9.22 the managed care plans and county-based purchasing plans in an amount sufficient to  
9.23 reflect increased reimbursement to critical access home care providers as approved by the  
9.24 commissioner. The commissioner shall designate a home care provider to be a critical  
9.25 access home care provider if more than 50 percent of the provider's home care patient  
9.26 encounters per year are with patients who are low-income and uninsured or covered  
9.27 by medical assistance or MinnesotaCare.

9.28 Sec. 10. Minnesota Statutes 2012, section 256B.0651, is amended by adding a  
9.29 subdivision to read:

9.30 Subd. 19. **Critical access provider payment rates.** Payments for covered services  
9.31 provided under the MinnesotaCare program shall include critical access and community  
9.32 health center payment rates and enhancements and special rate methodologies established

10.1 under sections 256B.0625, subdivision 30; 256B.0651, subdivision 18; 256B.76,  
10.2 subdivision 4; and 256B.763.

10.3 Sec. 11. Minnesota Statutes 2012, section 256B.76, subdivision 4, is amended to read:

10.4 Subd. 4. **Critical access dental providers.** (a) Effective for dental services rendered  
10.5 on or after January 1, 2002, the commissioner shall increase reimbursements to dentists  
10.6 and dental clinics deemed by the commissioner to be critical access dental providers.

10.7 For dental services rendered on or after July 1, 2007, the commissioner shall increase  
10.8 reimbursement by ~~30~~ 40 percent above the reimbursement rate that would otherwise be  
10.9 paid to the critical access dental provider. The commissioner shall pay the managed  
10.10 care plans and county-based purchasing plans in amounts sufficient to reflect increased  
10.11 reimbursements to critical access dental providers as approved by the commissioner.

10.12 (b) The commissioner shall designate the following dentists and dental clinics as  
10.13 critical access dental providers:

10.14 (1) nonprofit community clinics that:

10.15 (i) have nonprofit status in accordance with chapter 317A;

10.16 (ii) have tax exempt status in accordance with the Internal Revenue Code, section  
10.17 501(c)(3);

10.18 (iii) are established to provide oral health services to patients who are low income,  
10.19 uninsured, have special needs, and are underserved;

10.20 (iv) have professional staff familiar with the cultural background of the clinic's  
10.21 patients;

10.22 (v) charge for services on a sliding fee scale designed to provide assistance to  
10.23 low-income patients based on current poverty income guidelines and family size;

10.24 (vi) do not restrict access or services because of a patient's financial limitations  
10.25 or public assistance status; and

10.26 (vii) have free care available as needed;

10.27 (2) federally qualified health centers, rural health clinics, and public health clinics;

10.28 (3) city or county owned and operated hospital-based dental clinics;

10.29 (4) a dental clinic or dental group owned and operated by a nonprofit corporation in  
10.30 accordance with chapter 317A with more than 10,000 patient encounters per year with  
10.31 patients who are uninsured or covered by medical assistance, general assistance medical  
10.32 care, or MinnesotaCare; ~~and~~

10.33 (5) a dental clinic owned and operated by the University of Minnesota or the  
10.34 Minnesota State Colleges and Universities system; and

10.35 (6) privately owned dental clinics or practices, if:

11.1 (i) the clinic or practice is located within a dental professional shortage area under  
 11.2 Code of Federal Regulations, title 42, part 5, and United States Code, title 42, section  
 11.3 254E, and is located outside the seven-county metropolitan area;

11.4 (ii) more than 50 percent of the clinic or practice's patient encounters per year are  
 11.5 with patients who are low-income and uninsured or covered by medical assistance or  
 11.6 MinnesotaCare; and

11.7 (iii) the level of service provided by the clinic or practice is critical to maintaining  
 11.8 adequate levels of patient access within the service area in which the dentist operates.

11.9 (c) The commissioner may designate a dentist or dental clinic as a critical access  
 11.10 dental provider if the dentist or dental clinic is willing to provide care to patients covered  
 11.11 by medical assistance, ~~general assistance medical care~~, or MinnesotaCare at a level which  
 11.12 significantly increases access to dental care in the service area.

11.13 (d) A designated critical access clinic shall receive the reimbursement rate specified  
 11.14 in paragraph (a) for dental services provided off site at a private dental office if the  
 11.15 following requirements are met:

11.16 (1) the designated critical access dental clinic is located within a health professional  
 11.17 shortage area as defined under Code of Federal Regulations, title 42, part 5, and United  
 11.18 States Code, title 42, section 254E, and is located outside the seven-county metropolitan  
 11.19 area;

11.20 (2) the designated critical access dental clinic is not able to provide the service  
 11.21 and refers the patient to the off-site dentist;

11.22 (3) the service, if provided at the critical access dental clinic, would be reimbursed  
 11.23 at the critical access reimbursement rate;

11.24 (4) the dentist and allied dental professionals providing the services off site are  
 11.25 licensed and in good standing under chapter 150A;

11.26 (5) the dentist providing the services is enrolled as a medical assistance provider;

11.27 (6) the critical access dental clinic submits the claim for services provided off site  
 11.28 and receives the payment for the services; and

11.29 (7) the critical access dental clinic maintains dental records for each claim submitted  
 11.30 under this paragraph, including the name of the dentist, the off-site location, and the  
 11.31 license number of the dentist and allied dental professionals providing the services.

11.32 Sec. 12. Minnesota Statutes 2012, section 256B.76, is amended by adding a  
 11.33 subdivision to read:

11.34 Subd. 7. **Teledentistry and mobile services.** Covered dental services provided  
 11.35 remotely using telecommunications equipment or provided in settings outside of a dental

12.1 clinic using portable or mobile dental equipment shall be reimbursed at the same rate as if  
12.2 the service were provided in-person or in a dental clinic.

12.3 Sec. 13. Minnesota Statutes 2012, section 256B.763, is amended to read:

12.4 **256B.763 CRITICAL ACCESS MENTAL HEALTH RATE INCREASE.**

12.5 (a) For services defined in paragraph (b) and rendered on or after July 1, 2007,  
12.6 payment rates shall be increased by 23.7 percent over the rates in effect on January 1,  
12.7 2006, for:

12.8 (1) psychiatrists and advanced practice registered nurses with a psychiatric specialty;  
12.9 (2) community mental health centers under section 256B.0625, subdivision 5; and  
12.10 (3) mental health clinics and centers certified under Minnesota Rules, parts  
12.11 9520.0750 to 9520.0870, or hospital outpatient psychiatric departments that are designated  
12.12 as essential community providers under section 62Q.19.

12.13 (b) This increase applies to group skills training when provided as a component of  
12.14 children's therapeutic services and support, psychotherapy, medication management,  
12.15 evaluation and management, diagnostic assessment, explanation of findings, psychological  
12.16 testing, neuropsychological services, direction of behavioral aides, and inpatient  
12.17 consultation.

12.18 (c) This increase does not apply to rates that are governed by section 256B.0625,  
12.19 subdivision 30, or 256B.761, paragraph (b), other cost-based rates, rates that are  
12.20 negotiated with the county, rates that are established by the federal government, or rates  
12.21 that increased between January 1, 2004, and January 1, 2005.

12.22 (d) The commissioner shall adjust rates paid to prepaid health plans under contract  
12.23 with the commissioner to reflect the rate increases provided in paragraphs (a), (e), and  
12.24 (f). The prepaid health plan must pass this rate increase to the providers identified in  
12.25 paragraphs (a), (e), (f), and (g).

12.26 (e) Payment rates shall be increased by 23.7 percent over the rates in effect on  
12.27 December 31, 2007, for:

12.28 (1) medication education services provided on or after January 1, 2008, by adult  
12.29 rehabilitative mental health services providers certified under section 256B.0623; and

12.30 (2) mental health behavioral aide services provided on or after January 1, 2008, by  
12.31 children's therapeutic services and support providers certified under section 256B.0943.

12.32 (f) For services defined in paragraph (b) and rendered on or after January 1, 2008, by  
12.33 children's therapeutic services and support providers certified under section 256B.0943  
12.34 and not already included in paragraph (a), payment rates shall be increased by 23.7 percent  
12.35 over the rates in effect on December 31, 2007.

13.1 (g) Payment rates shall be increased by 2.3 percent over the rates in effect on  
13.2 December 31, 2007, for individual and family skills training provided on or after January  
13.3 1, 2008, by children's therapeutic services and support providers certified under section  
13.4 256B.0943.

13.5 (h) In addition to increases provided under paragraphs (a) through (g), payment  
13.6 rates shall be increased by ten percent for services rendered on or after July 1, 2013, by  
13.7 community mental health centers under section 256B.0625, subdivision 5.

13.8 (i) In addition to the rate increases authorized in this section, payment rates for  
13.9 services rendered on or after January 1, 2014, shall be increased by ten percent over  
13.10 the rate in effect on December 31, 2013, for services by psychiatrists and advanced  
13.11 practice registered nurses with a mental health specialty delivered through a community  
13.12 mental health center as defined in section 256B.0625, subdivision 5, or through essential  
13.13 community providers who are licensed or certified as mental health providers under  
13.14 section 256B.0623 or 256B.0943, or Minnesota Rules, parts 9520.0750 to 9520.0870.

13.15 Sec. 14. **OUTREACH AND ENROLLMENT ASSISTANCE.**

13.16 For the biennium ending June 30, 2015, the payment for outreach and enrollment  
13.17 assistance services resulting in a successful enrollment in medical assistance or  
13.18 MinnesotaCare is \$250.

13.19 Sec. 15. **FEDERALLY QUALIFIED HEALTH CENTER SUBSIDY.**

13.20 For the biennium ending June 30, 2015, \$5,000,000 per year is appropriated from  
13.21 the general fund to the commissioner of health for subsidies for federally qualified health  
13.22 centers under Minnesota Statutes, section 145.9269.

13.23 Sec. 16. **MEDICAL EDUCATION AND RESEARCH COSTS.**

13.24 For the biennium ending June 30, 2015, \$..... per year is appropriated from the  
13.25 general fund to the commissioner of health for distribution under Minnesota Statutes,  
13.26 section 62J.692, subdivision 4.

13.27 Sec. 17. **HEALTH DISPARITIES PAYMENT ENHANCEMENT.**

13.28 The commissioner of human services shall develop a methodology to pay a higher  
13.29 payment rate for health care providers and services that takes into consideration the higher  
13.30 cost, complexity, and resources needed to serve patients and populations who experience  
13.31 the greatest health disparities in order to achieve the same health and quality outcomes that  
13.32 are achieved for other patients and populations. The commissioner shall submit a report

14.1 and recommendations to the legislature by December 15, 2013, including the proposed  
14.2 methodology for providing a health disparities payment adjustment.

14.3 Sec. 18. **APPROPRIATION.**

14.4 \$..... for the fiscal year ending June 30, 2014, and \$..... for the fiscal year ending  
14.5 June 30, 2015, are appropriated from the health care access fund to the commissioner  
14.6 of human services for purposes of Minnesota Statutes, sections 256B.06, subdivision  
14.7 4, and 256B.0612.