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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3026

03/14/2016 Authored by Baker

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

03/29/2016 Adoption of Report: 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 certain payment and reimbursement  
1.3 requirements of chemical dependency treatment; clarifying certain treatment  
1.4 facility placement considerations; amending Minnesota Statutes 2014, sections  
1.5 254B.03, subdivision 4; 254B.04, subdivision 2a; 254B.06, subdivision 2, by  
1.6 adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2014, section 254B.03, subdivision 4, is amended to read:

1.9 Subd. 4. **Division of costs.** Except for services provided by a county under  
1.10 section 254B.09, subdivision 1, or services provided under section 256B.69 or 256D.03,  
1.11 subdivision 4, paragraph (b), the county shall, out of local money, pay the state for ~~22.95~~  
1.12 15 percent of the cost of chemical dependency services, including those services provided  
1.13 to persons eligible for medical assistance under chapter 256B and general assistance  
1.14 medical care under chapter 256D. Counties may use the indigent hospitalization levy for  
1.15 treatment and hospital payments made under this section. ~~22.95~~ Fifteen percent of any  
1.16 state collections from private or third-party pay, less 15 percent for the cost of payment  
1.17 and collections, must be distributed to the county that paid for a portion of the treatment  
1.18 under this section.

1.19 Sec. 2. Minnesota Statutes 2014, section 254B.04, subdivision 2a, is amended to read:

1.20 Subd. 2a. **Eligibility for treatment in residential settings.** Notwithstanding  
1.21 provisions of Minnesota Rules, part 9530.6622, subparts 5 and 6, related to an assessor's  
1.22 discretion in making placements to residential treatment settings, a person eligible for  
1.23 services under this section must score at level 4 on assessment dimensions related to  
1.24 relapse, continued use, or recovery environment in order to be assigned to services with a

2.1 room and board component reimbursed under this section. Whether a treatment facility  
2.2 has been designated an institution for mental diseases under United States Code, title 42,  
2.3 section 1396d, shall not be a factor in making placements.

2.4 Sec. 3. Minnesota Statutes 2014, section 254B.06, subdivision 2, is amended to read:

2.5 Subd. 2. **Allocation of collections.** The commissioner shall allocate all federal  
2.6 financial participation collections to a special revenue account. The commissioner shall  
2.7 allocate ~~77.05~~ 85 percent of patient payments and third-party payments to the special  
2.8 revenue account and ~~22.95~~ 15 percent to the county financially responsible for the patient.

2.9 Sec. 4. Minnesota Statutes 2014, section 254B.06, is amended by adding a subdivision  
2.10 to read:

2.11 Subd. 4. **Reimbursement for institutions for mental diseases.** The commissioner  
2.12 shall not deny reimbursement to a program designated as an institution for mental diseases  
2.13 under United States Code, title 42, section 1396d, due to a reduction in federal financial  
2.14 participation and the addition of new residential beds.