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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4096

03/07/2022 Authored by Schultz; Bahner; Xiong, J.; Acomb; Bierman and others
The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

1.1 A bill for an act
1.2 relating to human services; directing the commissioner of human services to
1.3 establish a presumptive eligibility process for home and community-based waiver
1.4 services and alternative care applicants; amending Minnesota Statutes 2020, section
1.5 256B.057, subdivision 12.

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

1.7 Section 1. Minnesota Statutes 2020, section 256B.057, subdivision 12, is amended to read:

1.8 Subd. 12. **Presumptive eligibility determinations made by qualified hospitals;**
1.9 **presumptive eligibility process for home and community-based waiver services.** (a)

1.10 The commissioner shall establish a process to qualify hospitals that are participating providers
1.11 under the medical assistance program to determine presumptive eligibility for medical
1.12 assistance for applicants who may have a basis of eligibility using the modified adjusted
1.13 gross income methodology as defined in section 256B.056, subdivision 1a, paragraph (b),
1.14 clause (1).

1.15 (b) The commissioner shall establish a presumptive eligibility process for home and
1.16 community-based waiver services applicants and alternative care applicants. The process
1.17 must allow counties, home and community-based services providers, hospitals, and other
1.18 agencies, including local area agencies on aging, to determine presumptive eligibility under
1.19 Medicaid state plan or waiver authorities.

1.20 **EFFECTIVE DATE; FEDERAL APPROVAL.** (a) Prior to July 1, 2023, the
1.21 commissioner of human services shall seek federal approval for an amendment to the
1.22 applicable 1915(c) home and community-based waivers to establish a presumptive eligibility
1.23 process for home and community-based waiver services under this section.

- 2.1 (b) This section is effective July 1, 2024, or 90 days after federal approval, whichever
- 2.2 is later. The commissioner of human services shall notify the revisor of statutes when federal
- 2.3 approval is obtained.