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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3077**

02/11/2020 Authored by Lippert, Poston, Mann, Acomb, Morrison and others
The bill was read for the first time and referred to the Long-Term Care Division
02/26/2020 Adoption of Report: Amended and re-referred to the Health and Human Services Finance Division

1.1 A bill for an act
1.2 relating to human services; modifying provisions governing caregiver support
1.3 programs and services; modifying essential community supports; appropriating
1.4 money; amending Minnesota Statutes 2018, section 256B.0922, subdivision 1;
1.5 proposing coding for new law in Minnesota Statutes, chapter 256.

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

1.7 Section 1. **[256.9755] CAREGIVER SUPPORT PROGRAMS.**

1.8 Subdivision 1. **Program goals.** It is the goal of all area agencies on aging and caregiver
1.9 support programs to support family caregivers of persons with Alzheimer's disease or other
1.10 related dementias who are living in the community by:

1.11 (1) promoting caregiver support programs that serve Minnesotans in their homes and
1.12 communities;

1.13 (2) providing, within the limits of available funds, the caregiver support services that
1.14 will enable the family caregiver to access caregiver support programs in the most
1.15 cost-effective and efficient manner; and

1.16 (3) providing information, education, and training to respite caregivers and volunteers
1.17 about caring for, managing, and coping with care for a person with Alzheimer's disease or
1.18 other form of dementia.

1.19 Subd. 2. **Authority.** The Minnesota Board on Aging shall allocate to area agencies on
1.20 aging the state and federal funds which are received for the caregiver support program in a
1.21 manner consistent with federal requirements. The board shall give priority to those areas
1.22 where there is a high need of respite services as evidenced by the data provided by the board.

2.1 Subd. 3. Caregiver support services. Funds allocated to an area agency on aging for
2.2 caregiver support services must be used in a manner consistent with the National Family
2.3 Caregiver Support Program to reach family caregivers of persons with Alzheimer's disease
2.4 or related dementias. The funds must be used to provide social, nonmedical,
2.5 community-based services and activities that provide respite for caregivers and social
2.6 interaction for participants.

2.7 Subd. 4. Report. By January 15, 2023, and each January 15 thereafter, the Minnesota
2.8 Board on Aging shall submit a progress report about the caregiver support grants in this
2.9 section to the chairs and ranking minority members of the senate and house of representatives
2.10 committees and divisions with jurisdiction over human services. The progress report must
2.11 include metrics of the use of the grant program.

2.12 Sec. 2. Minnesota Statutes 2018, section 256B.0922, subdivision 1, is amended to read:

2.13 Subdivision 1. **Essential community supports.** (a) The purpose of the essential
2.14 community supports program is to provide targeted services to persons age 65 and older
2.15 who need essential community support, but whose needs do not meet the level of care
2.16 required for nursing facility placement under section 144.0724, subdivision 11.

2.17 (b) Essential community supports are available not to exceed ~~\$400~~ \$600 per person per
2.18 month. Essential community supports may be used as authorized within an authorization
2.19 period not to exceed 12 months. Services must be available to a person who:

2.20 (1) is age 65 or older;

2.21 (2) is not eligible for medical assistance;

2.22 (3) has received a community assessment under section 256B.0911, subdivision 3a or
2.23 3b, and does not require the level of care provided in a nursing facility;

2.24 (4) meets the financial eligibility criteria for the alternative care program under section
2.25 256B.0913, subdivision 4;

2.26 (5) has a community support plan; and

2.27 (6) has been determined by a community assessment under section 256B.0911,
2.28 subdivision 3a or 3b, to be a person who would require provision of at least one of the
2.29 following services, as defined in the approved elderly waiver plan, in order to maintain their
2.30 community residence:

2.31 (i) adult day services;

2.32 (ii) caregiver support, including respite care;

3.1 (iii) homemaker support;

3.2 (iv) companion services;

3.3 ~~(iv)~~ (v) chores;

3.4 ~~(v)~~ (vi) a personal emergency response device or system;

3.5 ~~(vi)~~ (vii) home-delivered meals; or

3.6 ~~(vii)~~ (viii) community living assistance as defined by the commissioner.

3.7 (c) The person receiving any of the essential community supports in this subdivision
3.8 must also receive service coordination, not to exceed \$600 in a 12-month authorization
3.9 period, as part of their community support plan.

3.10 (d) A person who has been determined to be eligible for essential community supports
3.11 must be reassessed at least annually and continue to meet the criteria in paragraph (b) to
3.12 remain eligible for essential community supports.

3.13 (e) The commissioner is authorized to use federal matching funds for essential community
3.14 supports as necessary and to meet demand for essential community supports as outlined in
3.15 subdivision 2, and that amount of federal funds is appropriated to the commissioner for this
3.16 purpose.

3.17 Sec. 3. **APPROPRIATION; CAREGIVER SUPPORT PROGRAMS.**

3.18 (a) \$200,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
3.19 of human services for the Minnesota Board on Aging for the purposes of caregiver support
3.20 programs under Minnesota Statutes, section 256.9755. Programs receiving funding under
3.21 this section must include an Alzheimer's-specific respite service in their caregiver support
3.22 program. This appropriation is added to the base.

3.23 (b) The appropriation in paragraph (a) does not cancel and is available until expended.