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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1742

02/27/2025 Authored by Pérez-Vega, Hussein and Norris
The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

A bill for an act

relating to human services; establishing a direct support professional certification pilot project; requiring a report; appropriating money.

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

Section 1. **DIRECT SUPPORT PROFESSIONAL CERTIFICATION PILOT PROJECT.**

Subdivision 1. **Establishment.** The commissioner of human services shall establish a three-year direct support professional certification pilot project in partnership with the commissioner of the Office of Higher Education, Anoka County, Dakota County, the Metropolitan Center for Independent Living, and willing postsecondary institutions to implement a direct support curriculum leading to the credential of certified direct support professionals.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Covered program" means a program to provide direct support services funded in whole or in part by the state of Minnesota, including the community first services and supports program under Minnesota Statutes, section 256B.85; consumer-directed community supports and extended state plan personal care assistance services available under programs established pursuant to home and community-based service waivers authorized under section 1915(c) of the Social Security Act, including but not limited to Minnesota Statutes, sections 256B.092 and 256B.49, and chapter 256S, and the alternative care program under Minnesota Statutes, section 256B.0913; the personal care assistance program under Minnesota Statutes, section 256B.0659; and any similar program that may provide similar services in the future.

(c) "Direct support" means assistance with activities of daily living, assistance with instrumental activities of daily living, provision of home and community-based services, and other similar, long-term services and supports provided to a person age 65 or older or to a person with a disability to meet the person's daily living needs and ensure that the person may adequately function in the person's home and have safe access to the community.

Subd. 3. **Curriculum requirements.** The direct support curriculum implemented as a component of the pilot project must meet or exceed the training requirements under Minnesota Statutes, section 256B.85, subdivision 16, paragraph (e), and be based on the validated results of the National Direct Services Workforce Resource Center's Core Competencies for Direct Service Workforce Project. The curriculum must consist of at least 80 total hours of instruction and training provided over the course of no less than eight weeks.

Subd. 4. **Scholarships.** From the money appropriated under this section, the commissioner of human services shall establish an interagency agreement with the commissioner of the Office of Higher Education to provide direct support professional certification scholarships that include a work stipend of $20 per hour for 80 hours of instruction.

Subd. 5. **Certification.** (a) Individuals who successfully complete the direct support professional certification curriculum must be certified as direct support professionals and must receive the credential of certified direct support professional.

(b) Individuals who successfully complete the direct support professional certification curriculum meet the requirements of Minnesota Statutes, section 256B.85, subdivision 16, paragraph (e).

(c) With federal approval, services provided by a certified direct support professional in a covered program must receive an enhanced rate of 118.75 percent of the medical assistance rate otherwise paid. The commissioner must submit a complete request for federal approval of this paragraph by October 1, 2025.

(d) Any provider receiving an enhanced rate under this section must comply with Minnesota Statutes, section 256B.85, subdivision 7a, paragraph (b).

(e) The creation of eligibility criteria for an enhanced rate under this section does not constitute a change in a term or condition for individual providers as defined in Minnesota Statutes, section 256B.0711, and is not subject to the state's obligation to meet and negotiate under Minnesota Statutes, chapter 179A. A change in the rate for services within covered programs under this section does not constitute a change in a term or condition for individual

providers in covered programs and is not subject to the state's obligation to meet and negotiate under Minnesota Statutes, chapter 179A.

Subd. 6. **Accreditation criteria development.** Participating postsecondary institutions must collaborate with the Metropolitan Center for Independent Living to create continuity of educational programming and to develop accreditation criteria that provides guidance to other postsecondary institutions who wish to develop and implement a direct support professional certificate program on their own campuses. The Metropolitan Center for Independent Living, in cooperation with the commissioner of human services and local pilot counties, shall facilitate coordination among the postsecondary institutions located within the pilot counties.

Subd. 7. **Evaluation.** The commissioner of human services shall hire an independent program evaluator to prepare an evaluation of the pilot project. The evaluation must include how effective the pilot project was in addressing the direct care workforce needs of people in Anoka and Dakota Counties who rely upon direct support, an economic analysis of the economic contribution of the direct support professional certification pilot project to Anoka and Dakota Counties, an analysis of potential strategies for expanding the pilot project to the entire state, a fiscal estimate for statewide expansion, and an estimate of the economic impact of a statewide program.

Subd. 8. **Report.** The commissioner must submit the evaluation required under subdivision 7 and the program accreditation criteria developed according to subdivision 6 to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education and medical assistance long-term services and supports. The commissioner must submit the evaluation and accreditation criteria within six months following the completion of the pilot project.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 2. **APPROPRIATION; DIRECT SUPPORT PROFESSIONAL CERTIFICATION PILOT PROJECT.**

$..... in fiscal year 2026 is appropriated from the general fund to the commissioner of human services for the direct support professional certification pilot project. Of this amount, $150,000 is for a grant to the Metropolitan Center for Independent Living for its role in developing and coordinating the implementation of the pilot project. This is a onetime appropriation and is available until June 30, 2029.