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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3036

04/02/2025 Authored by Knudsen and Schomacker 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; requiring Tribally licensed residential substance use
1.3 disorder treatment providers to enroll in the substance use disorder demonstration
1.4 project; amending Minnesota Statutes 2024, section 256B.0759, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2024, section 256B.0759, subdivision 2, is amended to read:

1.7 Subd. 2. Provider participation. (a) Programs licensed by the Department of Human
1.8 Services as nonresidential substance use disorder treatment programs that receive payment
1.9 under this chapter must enroll as demonstration project providers and meet the requirements
1.10 of subdivision 3 by January 1, 2025. Programs that do not meet the requirements of this
1.11 paragraph are ineligible for payment for services provided under section 256B.0625.

1.12 (b) Programs licensed by the Department of Human Services as residential treatment
1.13 programs according to section 245G.21 that receive payment under this chapter must enroll
1.14 as demonstration project providers and meet the requirements of subdivision 3 by January
1.15 1, 2024. Programs that do not meet the requirements of this paragraph are ineligible for
1.16 payment for services provided under section 256B.0625.

1.17 (c) Programs licensed by the Department of Human Services as residential treatment
1.18 programs according to section 245G.21 that receive payment under this chapter, are licensed
1.19 as a hospital under sections 144.50 to 144.581, and provide only ASAM 3.7 medically
1.20 monitored inpatient level of care are not required to enroll as demonstration project providers.
1.21 Programs meeting these criteria must submit evidence of providing the required level of
1.22 care to the commissioner to be exempt from enrolling in the demonstration.

2.1 (d) Programs licensed by the Department of Human Services as withdrawal management
2.2 programs according to chapter 245F that receive payment under this chapter must enroll as
2.3 demonstration project providers and meet the requirements of subdivision 3 by January 1,
2.4 2024. Programs that do not meet the requirements of this paragraph are ineligible for payment
2.5 for services provided under section 256B.0625.

2.6 (e) Out-of-state residential substance use disorder treatment programs that receive
2.7 payment under this chapter must enroll as demonstration project providers and meet the
2.8 requirements of subdivision 3 by January 1, 2024. Programs that do not meet the requirements
2.9 of this paragraph are ineligible for payment for services provided under section 256B.0625.

2.10 (f) Tribally licensed programs, except Tribally licensed residential treatment programs,
2.11 may elect to participate in the demonstration project and meet the requirements of subdivision
2.12 3. The Department of Human Services must consult with Tribal Nations to discuss
2.13 participation of nonresidential programs in the substance use disorder demonstration project.
2.14 Tribally licensed residential treatment programs must enroll as demonstration project
2.15 providers and meet the requirements of subdivision 3 by January 1, 2028. Residential
2.16 treatment programs that do not meet the requirements of this paragraph are ineligible for
2.17 payment for services provided under section 256B.0625.

2.18 (g) The commissioner shall allow providers enrolled in the demonstration project before
2.19 July 1, 2021, to receive applicable rate enhancements authorized under subdivision 4 for
2.20 all services provided on or after the date of enrollment, except that the commissioner shall
2.21 allow a provider to receive applicable rate enhancements authorized under subdivision 4
2.22 for services provided on or after July 22, 2020, to fee-for-service enrollees, and on or after
2.23 January 1, 2021, to managed care enrollees, if the provider meets all of the following
2.24 requirements:

2.25 (1) the provider attests that during the time period for which the provider is seeking the
2.26 rate enhancement, the provider took meaningful steps in their plan approved by the
2.27 commissioner to meet the demonstration project requirements in subdivision 3; and

2.28 (2) the provider submits attestation and evidence, including all information requested
2.29 by the commissioner, of meeting the requirements of subdivision 3 to the commissioner in
2.30 a format required by the commissioner.

2.31 (h) The commissioner may recoup any rate enhancements paid under paragraph (g) to
2.32 a provider that does not meet the requirements of subdivision 3 by July 1, 2021.