

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 2598

(SENATE AUTHORS: ABELER, Hoffman and Mitchell)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|--|
| 03/17/2025 | 856 | Introduction and first reading Referred to Human Services |
| 04/02/2025 | 1279 | Author added Mitchell See First Special Session, HF3 |

1.1 A bill for an act

1.2 relating to human services; authorizing abbreviated annual reassessments of people

1.3 receiving disability waiver services; amending Minnesota Statutes 2024, section

1.4 256B.0911, subdivisions 24, 25.

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

1.6 Section 1. Minnesota Statutes 2024, section 256B.0911, subdivision 24, is amended to

1.7 read:

1.8 Subd. 24. **Remote reassessments.** (a) Assessments performed according to subdivisions

1.9 17 to 20 ~~and~~, 23, and 25, paragraph (b), must be in person unless the assessment is a

1.10 reassessment meeting the requirements of this subdivision. Remote reassessments conducted

1.11 by interactive video or telephone may substitute for in-person reassessments.

1.12 (b) For services provided by the developmental disabilities waiver under section

1.13 256B.092, and the community access for disability inclusion, community alternative care,

1.14 and brain injury waiver programs under section 256B.49, remote reassessments may be

1.15 substituted for two consecutive reassessments if followed by an in-person reassessment.

1.16 (c) For services provided by alternative care under section 256B.0913, essential

1.17 community supports under section 256B.0922, and the elderly waiver under chapter 256S,

1.18 remote reassessments may be substituted for one reassessment if followed by an in-person

1.19 reassessment.

1.20 (d) For personal care assistance provided under section 256B.0659 and community first

1.21 services and supports provided under section 256B.85, remote reassessments may be

1.22 substituted for two consecutive reassessments if followed by an in-person reassessment.

2.1 (e) A remote reassessment is permitted only if the lead agency provides informed choice
 2.2 and the person being reassessed or the person's legal representative provides informed
 2.3 consent for a remote assessment. Lead agencies must document that informed choice was
 2.4 offered.

2.5 (f) The person being reassessed, or the person's legal representative, may refuse a remote
 2.6 reassessment at any time.

2.7 (g) During a remote reassessment, if the certified assessor determines an in-person
 2.8 reassessment is necessary in order to complete the assessment, the lead agency shall schedule
 2.9 an in-person reassessment.

2.10 (h) All other requirements of an in-person reassessment apply to a remote reassessment,
 2.11 including updates to a person's support plan.

2.12 **EFFECTIVE DATE.** This section is effective January 1, 2026, or upon federal approval,
 2.13 whichever is later. The commissioner of human services shall notify the revisor of statutes
 2.14 when federal approval is obtained.

2.15 Sec. 2. Minnesota Statutes 2024, section 256B.0911, subdivision 25, is amended to read:

2.16 Subd. 25. ~~Reassessments~~ Reassessment frequency for Rule 185 case management
 2.17 and waiver services. (a) Unless otherwise required by federal law, the county agency is
 2.18 not required to conduct or arrange for an annual needs reassessment by a certified assessor
 2.19 for people receiving Rule 185 case management under Minnesota Rules, part 9525.0016.
 2.20 The case manager who works on behalf of the person to identify the person's needs and to
 2.21 minimize the impact of the disability on the person's life must instead develop a
 2.22 person-centered service plan based on the person's assessed needs and preferences. The
 2.23 person-centered service plan must be reviewed annually for persons with developmental
 2.24 disabilities who are receiving only case management services under Minnesota Rules, part
 2.25 9525.0016, and who make an informed choice to decline an assessment under this section.

2.26 (b) A lead agency must conduct or arrange for a nonabbreviated reassessment at least
 2.27 once every three years for each person who is receiving developmental disability waiver
 2.28 services under section 256B.092 or community access for disability inclusion, community
 2.29 alternative care, or brain injury waiver services under section 256B.49. The person or the
 2.30 person's legal representative may request a nonabbreviated reassessment at any time.

2.31 (c) Unless otherwise required by federal law, for people age 22 to 64 with no significant
 2.32 changes in function or needs, the lead agency may conduct or arrange for an annual
 2.33 abbreviated assessment by the lead agency using a tool approved by the commissioner. A

3.1 person or the person's legal representative must make an informed choice to accept an annual
3.2 abbreviated assessment in lieu of annual reassessment. A lead agency may offer an
3.3 abbreviated reassessment under this paragraph only to individuals who are receiving
3.4 developmental disability waiver services under section 256B.092 or community access for
3.5 disability inclusion, community alternative care, or brain injury waiver services under section
3.6 256B.49. An abbreviated assessment conducted under this paragraph must:

3.7 (1) verify current assessed needs;

3.8 (2) confirm continued need for current level of care;

3.9 (3) inform the person of alternatives available under the waiver;

3.10 (4) provide informed choice of institutional or home and community-based services;

3.11 (5) screen for a change in need that may warrant a nonabbreviated reassessment;

3.12 (6) review the person-centered services plan; and

3.13 (7) reauthorize services.

3.14 **EFFECTIVE DATE.** This section is effective January 1, 2026, or upon federal approval,
3.15 whichever is later. The commissioner of human services shall notify the revisor of statutes
3.16 when federal approval is obtained.