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State of Minnesota
HOUSE OF REPRESENTATIVES
First Division Engrossment

NINETY-SECOND SESSION

H. F. No. **3215**

02/10/2022 Authored by Fischer; Hanson, J.; Lippert; Hassan; Howard and others
The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

Division Action

02/21/2022 Referred by Chair to the Behavioral Health Policy Division
03/02/2022 Returned to the Committee on Human Services Finance and Policy as Amended

1.1 A bill for an act
1.2 relating to human services; providing for community mental health programs
1.3 workforce relief emergency payments; appropriating money.

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

1.5 Section 1. **APPROPRIATION; COMMUNITY MENTAL HEALTH PROGRAMS**
1.6 **WORKFORCE RELIEF EMERGENCY PAYMENTS.**

1.7 (a) \$62,000,000 in fiscal year 2023 is appropriated from the American Rescue Plan state
1.8 fiscal recovery federal fund to the commissioner of human services to administer emergency
1.9 onetime payments to community mental health programs that agree to use the funds for
1.10 sustaining direct service operations and hiring and retention bonuses to hire new employees
1.11 or retain existing employees, increase employee benefits, and provide additional training
1.12 and supervision.

1.13 (b) For purposes of this section, "community mental health program" means a mental
1.14 health provider, center, clinic, program, or entity that:

1.15 (1) is operating in Minnesota and is:

1.16 (i) eligible for a rate increase under Minnesota Statutes, section 256B.763;

1.17 (ii) providing day treatment programs for children or adults; or

1.18 (iii) serving children with an emotional disorder or adults with mental illness, including
1.19 through assertive community treatment, intensive residential treatment services, adult
1.20 rehabilitative mental health services, mobile and residential crisis services, children's
1.21 therapeutic services and supports, early intensive developmental and behavioral intervention,
1.22 children's residential services, psychiatric residential treatment facilities, outpatient mental

2.1 health treatment provided by mental health professionals, community mental health center
2.2 services, certified community behavioral health clinics, intensive mental health outpatient
2.3 treatment, day treatment and treatment foster care, or mental health targeted case
2.4 management;

2.5 (2) demonstrates to the commissioner that at least 30 percent of the community mental
2.6 health program's clients are:

2.7 (i) uninsured; or

2.8 (ii) enrolled in medical assistance or MinnesotaCare;

2.9 (3) is not providing hospital inpatient services;

2.10 (4) is not providing hospital outpatient services; and

2.11 (5) is not receiving a grant under United States Code, title 42, section 254b.

2.12 (c) Onetime payments made under this section must be allocated across community
2.13 mental health programs in proportion to their mental health Medicaid and MinnesotaCare
2.14 utilization as of June 30, 2021. The commissioner must develop an expedient distribution
2.15 process in consultation with stakeholders.

2.16 (d) For the services that require cost reports for rate setting, the funding allocated under
2.17 this section is not required to be included in cost reporting to the Department of Human
2.18 Services if the funding is used for recurring expenses, unless the Centers for Medicare and
2.19 Medicaid Services or the commissioner indicate otherwise.

2.20 (e) Up to \$100,000 may be used by the commissioner for administrative costs.

2.21 (f) Payment recipients must provide documentation of the use of funds through an
2.22 attestation form developed by the commissioner and may be subject to postpayment activity
2.23 audit review by the commissioner.