

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3813

(SENATE AUTHORS: HOFFMAN, Abeler and Newton)

DATE	D-PG	OFFICIAL STATUS
03/09/2022	5250	Introduction and first reading Referred to Human Services Reform Finance and Policy

1.1A bill for an act

1.2relating to human services; directing the commissioner of human services to

1.3establish a presumptive eligibility process for home and community-based waiver

1.4services and alternative care applicants; amending Minnesota Statutes 2020, section

1.5256B.057, subdivision 12.

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

1.7Section 1. Minnesota Statutes 2020, section 256B.057, subdivision 12, is amended to read:

1.8Subd. 12. **Presumptive eligibility determinations made by qualified hospitals;**

1.9**presumptive eligibility process for home and community-based waiver services.** (a)

1.10The commissioner shall establish a process to qualify hospitals that are participating providers

1.11under the medical assistance program to determine presumptive eligibility for medical

1.12assistance for applicants who may have a basis of eligibility using the modified adjusted

1.13gross income methodology as defined in section 256B.056, subdivision 1a, paragraph (b),

1.14clause (1).

1.15**(b) The commissioner shall establish a presumptive eligibility process for home and**

1.16**community-based waiver services applicants and alternative care applicants. The process**

1.17**must allow counties, home and community-based services providers, hospitals, and other**

1.18**agencies, including local area agencies on aging, to determine presumptive eligibility under**

1.19**Medicaid state plan or waiver authorities.**

1.20**EFFECTIVE DATE; FEDERAL APPROVAL.** (a) Prior to July 1, 2023, the

1.21commissioner of human services shall seek federal approval for an amendment to the

1.22applicable 1915(c) home and community-based waivers to establish a presumptive eligibility

1.23process for home and community-based waiver services under this section.

- 2.1 (b) This section is effective July 1, 2024, or 90 days after federal approval, whichever
- 2.2 is later. The commissioner of human services shall notify the revisor of statutes when federal
- 2.3 approval is obtained.