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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **1649**

02/23/2017 Authored by Haley
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; establishing an electronic service delivery
1.3 documentation system; appropriating money.

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

1.5 Section 1. ELECTRONIC SERVICE DELIVERY DOCUMENTATION SYSTEM.

1.6 Subdivision 1. Documentation; establishment. The commissioner of human services
1.7 shall establish implementation requirements and standards for an electronic service delivery
1.8 documentation system to comply with the 21st Century Cures Act, Public Law 114-255.

1.9 Subd. 2. Definitions. (a) For purposes of this section, the terms in this subdivision have
1.10 the meanings given them.

1.11 (b) "Electronic service delivery documentation" means the electronic documentation of
1.12 the:

1.13 (1) type of service performed;

1.14 (2) individual receiving the service;

1.15 (3) date of the service;

1.16 (4) location of the service delivery;

1.17 (5) individual providing the service; and

1.18 (6) time the service begins and ends.

2.1 (c) "Electronic service delivery documentation system" means a system that provides
2.2 electronic service delivery documentation that complies with the 21st Century Cures Act,
2.3 Public Law 114-255, and the requirements of subdivision 3.

2.4 (d) "Service" means one of the following:

2.5 (1) personal care assistance services as defined in Minnesota Statutes, section 256B.0625,
2.6 subdivision 19a, and provided according to Minnesota Statutes, section 256B.0659;

2.7 (2) community first services and supports under Minnesota Statutes, section 256B.85;

2.8 (3) consumer support grants under Minnesota Statutes, section 256.476; or

2.9 (4) consumer-directed community supports under Minnesota Statutes, section 256B.0915,
2.10 256B.092, or 256B.49.

2.11 Subd. 3. **Requirements.** (a) In developing implementation requirements for an electronic
2.12 service delivery documentation system, the commissioner shall consider electronic visit
2.13 verification systems and other electronic service delivery documentation methods. The
2.14 commissioner shall convene stakeholders that will be impacted by an electronic service
2.15 delivery system, including service providers and their representatives, service recipients
2.16 and their representatives, and, as appropriate, those with expertise in the development and
2.17 operation of an electronic service delivery documentation system to ensure that the
2.18 requirements:

2.19 (1) are minimally administratively and financially burdensome to a provider;

2.20 (2) are minimally intrusive to the privacy of the service recipient and the least disruptive
2.21 to the service recipient in receiving and maintaining allowed services;

2.22 (3) consider existing best practices and use of electronic service delivery documentation;

2.23 (4) are conducted according to all state and federal laws, including privacy and data
2.24 security laws;

2.25 (5) are effective methods for preventing fraud when balanced against the requirements
2.26 of clauses (1) and (2); and

2.27 (6) are consistent with the Department of Human Services' policies related to covered
2.28 services, flexibility of service use, and quality assurance.

2.29 (b) The commissioner shall make training available to providers on the electronic service
2.30 delivery documentation system requirements.

3.1 (c) The commissioner shall establish baseline measurements related to preventing fraud
3.2 and establish measures to determine the effect of electronic service delivery documentation
3.3 requirements on program integrity.

3.4 Subd. 4. **Legislative report.** (a) The commissioner shall submit a report by January 15,
3.5 2018, to the chairs and ranking minority members of the legislative committees with
3.6 jurisdiction over human services with recommendations, based on the requirements of
3.7 subdivision 3, to establish electronic service delivery documentation system requirements
3.8 and standards. The report shall identify:

3.9 (1) the essential elements necessary to operationalize a base-level electronic service
3.10 delivery documentation system to be implemented by January 1, 2019; and

3.11 (2) enhancements to the base-level electronic service delivery documentation system to
3.12 be implemented by January 1, 2019, or after, with projected operational costs and the costs
3.13 and benefits for system enhancements.

3.14 (b) The report must also identify current regulations on service providers that are either
3.15 inefficient, minimally effective, or will be unnecessary with the implementation of an
3.16 electronic service delivery documentation system.

3.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.18 Sec. 2. **APPROPRIATION; IMPLEMENTATION AND OPERATION OF AN**
3.19 **ELECTRONIC SERVICE DELIVERY DOCUMENTATION SYSTEM.**

3.20 \$115,000 in fiscal year 2018 and \$115,000 in fiscal year 2019 are appropriated from the
3.21 general fund to the commissioner of human services for the development and implementation
3.22 of an electronic service delivery documentation system. This appropriation is onetime and
3.23 is not added to the base.