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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2023

02/25/2014 Authored by Fritz, Liebling and Abeler

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to human services; establishing an intensive care category for in-home
1.3 nursing services; increasing payment rates for in-home nursing services;
1.4 changing terminology and providing a revisor's instruction; amending Minnesota
1.5 Statutes 2012, section 256B.0654, subdivision 1, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2012, section 256B.0654, subdivision 1, is amended to
1.8 read:

1.9 Subdivision 1. **Definitions.** (a) "~~Complex private duty in-home~~ nursing care"
1.10 means nursing services provided to recipients who ~~are ventilator dependent or for whom~~
1.11 ~~a physician has certified that the recipient would meet the criteria for inpatient hospital~~
1.12 meet the criteria for regular in-home nursing, except that life-sustaining interventions
1.13 are necessary for the recipient to be considered stable and the recipient may require an
1.14 intensive care unit (ICU) level of care if admitted to the hospital.

1.15 (b) "~~Private duty In-home~~ nursing" means ongoing professional nursing services
1.16 by a registered or licensed practical nurse including assessment, professional nursing
1.17 tasks, and education, based on an assessment and physician orders to maintain or restore
1.18 optimal health of the recipient.

1.19 (c) "~~Private duty In-home~~ nursing agency" means a medical assistance enrolled
1.20 provider licensed under chapter 144A to provide ~~private duty in-home~~ nursing services.

1.21 (d) "Regular ~~private duty in-home~~ nursing" means nursing services provided to a
1.22 recipient who is considered stable ~~and not at an inpatient hospital intensive care unit level~~
1.23 of care due to routine therapeutic interventions, but may have episodes of instability that
1.24 are not life threatening can be resolved through further therapeutic interventions. Regular

2.1 in-home nursing services are not provided to recipients experiencing life-threatening
2.2 episodes of instability or who require life-sustaining or life-saving interventions.

2.3 (e) "~~Shared private-duty in-home~~ nursing" means the provision of nursing services by
2.4 ~~a private-duty an in-home~~ nurse to two recipients at the same time and in the same setting.

2.5 (f) "Intensive care in-home nursing" means nursing services provided to a recipient
2.6 who meets all of the criteria for complex in-home nursing and for whom recurrent or
2.7 complex life-saving interventions are necessary to avoid permanent harm or death, and
2.8 who would require an intensive care unit (ICU) level of care if admitted to the hospital.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2014.

2.10 Sec. 2. Minnesota Statutes 2012, section 256B.0654, is amended by adding a
2.11 subdivision to read:

2.12 **Subd. 5. Payment rates for in-home nursing services.** Effective for services
2.13 provided on or after July 1, 2014, payments for regular in-home nursing services shall be
2.14 increased by 14 percent from the rates in effect on June 30, 2014, payments for complex
2.15 in-home nursing services shall be increased by 21 percent from the rates in effect on June
2.16 30, 2014, and payments for intensive care in-home nursing services shall be set at a level
2.17 25 percent higher than the payment rate for complex in-home nursing services that is in
2.18 effect on July 1, 2014. This increase does not apply to federally qualified health centers,
2.19 rural health centers, and Indian health services. The commissioner shall adjust payment
2.20 rates to managed care and county-based purchasing plans to reflect this increase, and shall
2.21 require plans to pass on the full amount of the rate increase to eligible in-home nursing
2.22 service providers, in the form of higher payments for in-home nursing services.

2.23 Sec. 3. **REVISOR'S INSTRUCTION.**

2.24 The revisor of statutes shall change the term "private duty nursing" or similar terms
2.25 to "in-home nursing" or similar terms, and shall change the term "private duty nurse" to
2.26 "in-home nurse," wherever these terms appear in Minnesota Statutes and Minnesota Rules.
2.27 The revisor shall also make grammatical changes related to the changes in terms.