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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3895

03/15/2018 Authored by Koznick, Garofalo, O'Neill, Drazkowski, McDonald and others
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; modifying provisions governing collective bargaining
1.3 agreements for self-directed workers; amending Laws 2017, First Special Session
1.4 chapter 6, article 18, section 2, subdivision 15.

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

1.6 Section 1. Laws 2017, First Special Session chapter 6, article 18, section 2, subdivision
1.7 15, is amended to read:

1.8 Subd. 15. Forecasted Programs; Medical
1.9 Assistance

Table with 2 columns: Category, Amount. Rows include Appropriations by Fund, General (5,174,139,000 / 5,172,292,000), and Health Care Access (385,159,000 / 438,848,000).

1.13 (a) Behavioral Health Services. \$1,000,000
1.14 in fiscal year 2018 and \$1,000,000 in fiscal
1.15 year 2019 are for behavioral health services
1.16 provided by hospitals identified under
1.17 Minnesota Statutes, section 256.969,
1.18 subdivision 2b, paragraph (a), clause (4). The
1.19 increase in payments shall be made by
1.20 increasing the adjustment under Minnesota
1.21 Statutes, section 256.969, subdivision 2b,
1.22 paragraph (e), clause (2).

1.23 (b) Self-Directed Workforce Collective
1.24 Bargaining Agreement. (1) This

2.1 appropriation includes money to implement a  
2.2 collective bargaining agreement between the  
2.3 state and the Service Employees International  
2.4 Union Healthcare Minnesota (SEIU). This  
2.5 appropriation is not available until the  
2.6 collective bargaining agreement between the  
2.7 state of Minnesota and the Service Employees  
2.8 International Union Healthcare Minnesota  
2.9 under Minnesota Statutes, section 179A.54,  
2.10 is approved as provided in clause (3).

2.11 (2) The commissioner of management and  
2.12 budget is authorized to negotiate and enter  
2.13 into a collective bargaining agreement with  
2.14 SEIU under Minnesota Statutes, section  
2.15 179A.54, subject to clause (1), and subdivision  
2.16 7, paragraph (f). The economic terms of the  
2.17 collective bargaining agreement may include  
2.18 wage floor increases for direct support  
2.19 workers, paid time off, holiday pay, wage  
2.20 increases for workers serving people with  
2.21 complex needs, training stipends, and training  
2.22 for direct support workers and for  
2.23 implementation of the registry as outlined in  
2.24 the collective bargaining agreement.

2.25 (3) Notwithstanding Minnesota Statutes,  
2.26 sections 3.855, 179A.22, subdivision 4, and  
2.27 179A.54, subdivision 5, upon approval of a  
2.28 negotiated collective bargaining agreement by  
2.29 the SEIU and the commissioner of  
2.30 management and budget, the commissioner  
2.31 of human services is authorized to implement  
2.32 the negotiated collective bargaining  
2.33 agreement.

2.34 (4) Nothing in this subdivision or other law  
2.35 shall be deemed to prohibit the conduct of a

3.1 decertification election among the self-directed  
3.2 workers, nor shall any collective bargaining  
3.3 agreement entered into pursuant to this  
3.4 subdivision be deemed to prohibit a  
3.5 decertification election. Notwithstanding  
3.6 Minnesota Statutes, sections 179A.12 and  
3.7 179A.54, and Minnesota Rules, chapter 5510,  
3.8 or other law, by July 1, 2019, the Bureau of  
3.9 Mediation Services shall conduct a  
3.10 decertification election for self-directed  
3.11 workers if, at any time prior to July 1, 2019,  
3.12 the Bureau of Mediation Services is provided  
3.13 decertification election authorization cards or  
3.14 petitions containing the names and signatures  
3.15 of 6,000 or more self-directed workers. For  
3.16 the purposes of this subdivision, self-directed  
3.17 workers refers to personal care attendants or  
3.18 home care workers, whose names appeared  
3.19 on any list of self-directed workers provided  
3.20 to the persons seeking decertification by the  
3.21 Department of Human Services or the Bureau  
3.22 of Mediation Services between May 1, 2016,  
3.23 and July 1, 2019, and who signed a card  
3.24 between May 1, 2016, and July 1, 2019.

3.25 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2017.