

This Document can be made available  
in alternative formats upon request

State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 777**

02/21/2013 Authored by Newton, Abeler, Huntley, Schomacker, Fritz and others

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

1.1 A bill for an act  
1.2 relating to human services; modifying reimbursement rates for ICF/DD and  
1.3 home and community-based services providers; appropriating money; amending  
1.4 Minnesota Statutes 2012, section 256B.5012, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2012, section 256B.5012, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 14. **ICF/DD rate increases effective July 1, 2013, and July 1, 2014.** (a)  
1.9 Notwithstanding subdivision 12, for each facility reimbursed under this section, for the  
1.10 rate period beginning July 1, 2013, the commissioner shall increase operating payments  
1.11 equal to five percent of the operating payment rates in effect on June 30, 2013. For the rate  
1.12 period beginning July 1, 2014, the commissioner shall increase operating payments equal  
1.13 to five percent of the operating payment rates in effect on June 30, 2014.

1.14 (b) For each facility, the commissioner shall apply the rate increase based on  
1.15 occupied beds, using the percentage specified in this subdivision multiplied by the total  
1.16 payment rate, including the variable rate, but excluding the property-related payment  
1.17 rate in effect on the preceding date. The total rate increase shall include the adjustment  
1.18 provided in section 256B.501, subdivision 12.

1.19 Sec. 2. **PROVIDER RATE AND GRANT INCREASES EFFECTIVE JULY 1,**  
1.20 **2013, AND JULY 1, 2014.**

1.21 (a) The commissioner of human services shall increase reimbursement rates, grants,  
1.22 allocations, individual limits, and rate limits, as applicable, by five percent for the rate  
1.23 period beginning July 1, 2013, and by five percent for the rate period beginning July 1,

2014, for services rendered on or after those dates. County or tribal contracts for services specified in this section must be amended to pass through these rate increases within 60 days of the effective date.

(b) The rate changes described in this section must be provided to:

(1) home and community-based waived services for persons with developmental disabilities or related conditions, including consumer-directed community supports, under Minnesota Statutes, section 256B.501;

(2) waived services under community alternatives for disabled individuals, including consumer-directed community supports, under Minnesota Statutes, section 256B.49;

(3) community alternative care waived services, including consumer-directed community supports, under Minnesota Statutes, section 256B.49;

(4) traumatic brain injury waived services, including consumer-directed community supports, under Minnesota Statutes, section 256B.49;

(5) home and community-based waived services for the elderly under Minnesota Statutes, section 256B.0915;

(6) nursing services and home health services under Minnesota Statutes, section 256B.0625, subdivision 6a;

(7) personal care services and qualified professional supervision of personal care services under Minnesota Statutes, section 256B.0625, subdivisions 6a and 19a;

(8) private duty nursing services under Minnesota Statutes, section 256B.0625, subdivision 7;

(9) day training and habilitation services for adults with developmental disabilities or related conditions under Minnesota Statutes, sections 252.40 to 252.46, including the additional cost of rate adjustments on day training and habilitation services, provided as a social service, under Minnesota Statutes, section 256M.60;

(10) alternative care services under Minnesota Statutes, section 256B.0913;

(11) living skills training programs for persons with intractable epilepsy who need assistance in the transition to independent living under Laws 1988, chapter 689;

(12) semi-independent living services (SILS) under Minnesota Statutes, section 252.275, including SILS funding under county social services grants formerly funded under Minnesota Statutes, chapter 256I;

(13) consumer support grants under Minnesota Statutes, section 256.476;

(14) family support grants under Minnesota Statutes, section 252.32;

(15) housing access grants under Minnesota Statutes, section 256B.0658;

(16) self-advocacy grants under Laws 2009, chapter 101; and

3.1 (17) technology grants under Laws 2009, chapter 79.

3.2 (c) A managed care plan receiving state payments for the services in this section  
3.3 must include these increases in their payments to providers. To implement the rate increase  
3.4 in this section, capitation rates paid by the commissioner to managed care organizations  
3.5 under Minnesota Statutes, section 256B.69, shall reflect a two percent increase for the  
3.6 specified services for the period beginning July 1, 2013.

3.7 (d) Counties shall increase the budget for each recipient of consumer-directed  
3.8 community supports by the amounts in paragraph (a) on the effective dates in paragraph (a).

3.9 Sec. 3. **APPROPRIATION.**

3.10 \$..... is appropriated from the general fund to the commissioner of human services  
3.11 for the biennium beginning July 1, 2013, for the purposes of sections 1 and 2.