

1.1 A bill for an act

1.2 relating to human services; clarifying medical assistance coverage for children's
1.3 therapeutic services; amending Minnesota Statutes 2009 Supplement, section
1.4 256B.0943, subdivision 12.

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

1.6 Section 1. Minnesota Statutes 2009 Supplement, section 256B.0943, subdivision 12,
1.7 is amended to read:

1.8 Subd. 12. **Excluded services.** The following services are not eligible for medical
1.9 assistance payment as children's therapeutic services and supports:

1.10 (1) service components of children's therapeutic services and supports
1.11 simultaneously provided by more than one provider entity unless prior authorization is
1.12 obtained;

1.13 (2) treatment by multiple providers within the same agency at the same clock time,
1.14 unless medically necessary;

1.15 (3) children's therapeutic services and supports provided in violation of medical
1.16 assistance policy in Minnesota Rules, part 9505.0220;

1.17 (4) mental health behavioral aide services provided by a personal care assistant who
1.18 is not qualified as a mental health behavioral aide and employed by a certified children's
1.19 therapeutic services and supports provider entity;

1.20 (5) service components of CTSS that are the responsibility of a residential or
1.21 program license holder, including foster care providers under the terms of a service
1.22 agreement or administrative rules governing licensure;

1.23 (6) adjunctive activities that may be offered by a provider entity but are not
1.24 otherwise covered by medical assistance, including:

S.F. No. 2409, as introduced - 86th Legislative Session (2009-2010) [10-4933]

2.1 (i) a service that is primarily recreation oriented or that is provided in a setting that
2.2 is not medically supervised. This includes sports activities, exercise groups, activities
2.3 such as craft hours, leisure time, social hours, meal or snack time, trips to community
2.4 activities, and tours;

2.5 (ii) a social or educational service that does not have or cannot reasonably be
2.6 expected to have a therapeutic outcome related to the client's emotional disturbance;

2.7 (iii) consultation with other providers or service agency staff about the care or
2.8 progress of a client;

2.9 (iv) prevention or education programs provided to the community; and

2.10 (v) treatment for clients with primary diagnoses of alcohol or other drug abuse; and

2.11 (7) activities that are not direct service time.