

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 296

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DATE	D-PG	OFFICIAL STATUS
01/25/2021	155	Introduction and first reading Referred to Human Services Reform Finance and Policy
02/08/2021	288	Authors added Abeler; Hoffman
02/25/2021	502a	Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to human services; establishing a parenting with a disability support

1.3 services pilot project; requiring a report; appropriating money.

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

1.5 Section 1. **PARENTING WITH A DISABILITY; SUPPORT SERVICES; PILOT**

1.6 **PROJECT.**

1.7 Subdivision 1. Purpose. The commissioner of human services shall establish a pilot

1.8 project to provide assistance with childrearing tasks to parents who are eligible for personal

1.9 care assistance services under Minnesota Statutes, section 256B.0659, or for services and

1.10 supports provided through community first services and supports under Minnesota Statutes,

1.11 section 256B.85. The purpose of this pilot project is to assist a parent with a disability in

1.12 childrearing tasks and to prevent removal of a child from a parent because the parent has a

1.13 disability.

1.14 Subd. 2. Definitions. (a) For the purposes of this section, in addition to the definitions

1.15 in Minnesota Statutes, section 256B.0659, subdivision 1, applying with respect to the

1.16 personal care assistance program and the definitions in Minnesota Statutes, section 256B.85,

1.17 subdivision 2, applying with respect to community first services and supports, the following

1.18 terms have the meanings given them in this subdivision.

1.19 (b) "Adaptive parenting equipment" means a piece of equipment that increases, extends,

1.20 or improves the parenting capabilities of a parent with a disability.

1.21 (c) "Child" means a person under 12 years of age.

2.1 (d) "Childrearing task" means a task that assists a parent with a disability to care for a
2.2 child. Childrearing task includes, but is not limited to: lifting and carrying the child,
2.3 organizing supplies for the child, preparing meals for the child, washing clothing and bedding
2.4 for the child, bathing the child, childproofing the home that the parent and child live in, and
2.5 assisting with transporting the child.

2.6 (e) "Commissioner" means the commissioner of human services.

2.7 (f) "Parent" means a child's biological, foster, or adoptive parent or legal guardian who
2.8 is legally obligated to care for and support that child.

2.9 (g) "Person with a disability" means an individual who has a physical, mental, or
2.10 psychological impairment or dysfunction that limits independent functioning in the family,
2.11 community, or employment.

2.12 (h) "Personal care assistant" or "PCA" also means support worker.

2.13 (i) "Personal care assistance services" also means the services and supports provided
2.14 through community first services and supports.

2.15 (j) "Supportive parenting assistant" or "SPA" means an individual providing supportive
2.16 parenting services who is also a personal care assistant.

2.17 (k) "Supportive parenting service" means a state-funded service that (1) helps a parent
2.18 with a disability compensate for aspects of the parent's disability that affect the parent's
2.19 ability to care for the child, and (2) enables the parent to complete parental responsibilities,
2.20 including childrearing tasks. Supportive parenting service does not include disciplining the
2.21 parent's child.

2.22 Subd. 3. **Supportive parenting services; covered services.** (a) If a parent is eligible
2.23 for and receiving personal care assistance services, the parent is eligible to receive supportive
2.24 parenting services under this section. A parent must use one supportive parenting assistant
2.25 under this section at a time, regardless of the parent's number of children. Supportive
2.26 parenting services provided under this section are services for the parent and not the child.

2.27 (b) An SPA providing supportive parenting services under this section must not perform
2.28 personal care assistance services while scheduled to provide supportive parenting services.
2.29 A PCA providing personal care assistance services must not perform supportive parenting
2.30 services while scheduled to provide personal care assistance services. A PCA providing
2.31 personal care assistance services and an SPA providing supportive parenting services may
2.32 be scheduled to support the parent at the same time. The same individual may provide
2.33 personal care assistance services and supportive parenting assistance to a parent provided

3.1 the requirements of this paragraph are met. Supportive parenting services under this section
3.2 do not count toward a PCA's 310 hours per-month limit on providing personal care assistance
3.3 services under Minnesota Statutes, section 256B.0659, subdivision 11, paragraph (a), clause
3.4 (10).

3.5 (c) Supportive parenting services under this section must not replace personal care
3.6 assistance services.

3.7 (d) A parent's supportive parenting services shall be limited to 40 hours per month.

3.8 Subd. 4. **Adaptive parenting equipment.** A parent eligible for supportive parenting
3.9 services under subdivision 3 is also eligible to receive adaptive parenting equipment. The
3.10 commissioner shall develop a process for a parent to apply for adaptive parenting equipment.
3.11 The process shall include an evaluation of the parent's adaptive parenting equipment needs.
3.12 Adaptive parenting equipment reimbursed under this section shall only cover items not
3.13 covered by medical assistance. The items must be the least costly item to meet the parent's
3.14 need.

3.15 Subd. 5. **Grants.** (a) The commissioner shall develop an application process for and
3.16 award two-year state-funded grants to personal care assistance provider agencies to provide
3.17 supportive parenting services as described in subdivision 3. A grant applicant must be a
3.18 personal care assistance provider agency.

3.19 (b) The grantee shall bill the department on forms provided by and in a manner prescribed
3.20 by the commissioner. The commissioner shall pay a provider under this section at the same
3.21 rates paid for personal care assistance services.

3.22 Subd. 6. **Advisory Committee.** (a) The Parenting with a Disability Advisory Committee
3.23 shall consist, at a minimum, of the following members:

3.24 (1) four public members, as defined in Minnesota Statutes, section 645.44, subdivision
3.25 5a. The public members shall be either parents with disabilities or caregivers to such persons,
3.26 appointed by the commissioner of human services;

3.27 (2) two members who are personal care assistance providers, appointed by the
3.28 commissioner of human services;

3.29 (3) two members of the senate, one member appointed by the senate majority leader and
3.30 one member appointed by the senate minority leader;

3.31 (4) two members of the house of representatives, one member appointed by the speaker
3.32 of the house and one member appointed by the house of representatives minority leader;

4.1 (5) one member representing child protection professionals, appointed by the
 4.2 commissioner of human services; and

4.3 (6) one member representing child welfare professionals, appointed by the commissioner
 4.4 of human services.

4.5 (b) The committee shall elect a chair from among its members.

4.6 (c) A committee member may not vote on a decision of the committee in which the
 4.7 member has either a direct or indirect personal financial interest.

4.8 (d) The advisory committee duties shall, at a minimum, include:

4.9 (1) advising the commissioner regarding methods to expand and improve the efficiency
 4.10 of services for parents with a disability;

4.11 (2) assisting with the report required in section 2, including proposing legislative changes;
 4.12 and

4.13 (3) developing standards and training requirements for supportive parenting assistants.

4.14 (e) Minnesota Statutes, section 15.059, subdivisions 1, 3, and 5, apply to public members
 4.15 of the committee.

4.16 (f) The commissioner of human services shall make appointments by July 31, 2021.

4.17 (g) The commissioner of human services or a designee shall convene the first meeting
 4.18 of the committee by September 1, 2021.

4.19 (h) The committee shall expire on February 15, 2023, or upon submission of the study
 4.20 required in section 2, whichever is earlier.

4.21 Subd. 7. **Appropriation.** \$..... in fiscal year 2022 is appropriated from the general fund
 4.22 to the commissioner of human services to pay for the costs of establishing and administering
 4.23 the pilot project under this section including the study required under section 2. This is a
 4.24 onetime appropriation. The unencumbered balance in the first year does not cancel but is
 4.25 available the second year.

4.26 Sec. 2. **DIRECTION TO THE COMMISSIONER; STUDY OF SUPPORTIVE**
 4.27 **PARENTING SERVICES.**

4.28 The commissioner shall study the feasibility of providing supportive parenting services
 4.29 to parents with disabilities and disabling conditions and submit a report to the chairs and
 4.30 ranking minority members of the legislative committees with jurisdiction over health and
 4.31 human services by February 15, 2023. The report must contain at a minimum:

- 5.1 (1) the total number of parents that were provided services through the pilot project;
- 5.2 (2) the total cost of developing the services provided under the pilot project;
- 5.3 (3) legislative recommendations on expansion or continuation of the pilot project; and
- 5.4 (4) draft legislative language.