

SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION

S.F. No. 3736

(SENATE AUTHORS: RASMUSSEN, Hoffman and Utke)

DATE	D-PG	OFFICIAL STATUS
02/15/2024	11606	Introduction and first reading Referred to Human Services

1.1A bill for an act

1.2relating to human services; modifying disability waiver technology provisions;

1.3amending Minnesota Statutes 2022, section 256B.4905, subdivision 12; Minnesota

1.4Statutes 2023 Supplement, section 256B.4914, subdivision 10d.

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

1.6Section 1. Minnesota Statutes 2022, section 256B.4905, subdivision 12, is amended to

1.7read:

1.8Subd. 12. **Informed choice in technology implementation for disability waiver**

1.9**services.** The commissioner of human services shall ensure that:

1.10(1) disability waivers under sections 256B.092 and 256B.49 support the presumption

1.11that all adults who have disabilities and children who have disabilities may use assistive

1.12technology, remote supports, or both to enhance the adult's or child's independence and

1.13quality of life; ~~and~~

1.14(2) each individual accessing waiver services is offered, after an informed

1.15decision-making process and during a person-centered planning process, the opportunity

1.16to choose assistive technology, remote support, or both to ensure equitable access;‡

1.17(3) lead agencies do not include additional processes or requirements, in addition to

1.18those required by the commissioner, that could result in the delay of approval or

1.19implementation of technology; and

1.20(4) lead agencies approve technology in a timely manner and make determinations within

1.2130 calendar days of the date of the original request. If denied, the lead agency must submit

2.1 a notice of action form clearly stating the reason for the denial, including information  
2.2 describing why the technology is not appropriate to meet the individual's assessed need.

2.3 **EFFECTIVE DATE.** This section is effective January 1, 2025.

2.4 Sec. 2. Minnesota Statutes 2023 Supplement, section 256B.4914, subdivision 10d, is  
2.5 amended to read:

2.6 Subd. 10d. **Direct care staff; compensation.** (a) A provider paid with rates determined  
2.7 under subdivision 6 must use a minimum of 66 percent of the revenue generated by rates  
2.8 determined under that subdivision for direct care staff compensation.

2.9 (b) A provider paid with rates determined under subdivision 7 must use a minimum of  
2.10 45 percent of the revenue generated by rates determined under that subdivision for direct  
2.11 care staff compensation.

2.12 (c) A provider paid with rates determined under subdivision 8 or 9 must use a minimum  
2.13 of 60 percent of the revenue generated by rates determined under those subdivisions for  
2.14 direct care staff compensation.

2.15 (d) Compensation under this subdivision includes:

2.16 (1) wages;

2.17 (2) taxes and workers' compensation;

2.18 (3) health insurance;

2.19 (4) dental insurance;

2.20 (5) vision insurance;

2.21 (6) life insurance;

2.22 (7) short-term disability insurance;

2.23 (8) long-term disability insurance;

2.24 (9) retirement spending;

2.25 (10) tuition reimbursement;

2.26 (11) wellness programs;

2.27 (12) paid vacation time;

2.28 (13) paid sick time; ~~or~~

- 3.1 (14) costs related to providing remote support, including payments made to third-party
- 3.2 vendors;
- 3.3 (15) cost of technology to support individuals remotely; or
- 3.4 (16) other items of monetary value provided to direct care staff.
- 3.5 **EFFECTIVE DATE.** This section is effective January 1, 2025.