

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 5207

(SENATE AUTHORS: FATEH)

DATE
03/25/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health and human services; providing for an open statutory appropriation
1.3 for the cost of certain background studies; appropriating money; amending
1.4 Minnesota Statutes 2022, section 245C.10, subdivision 18; Minnesota Statutes
1.5 2023 Supplement, sections 245C.10, subdivisions 3, 10; 256.4764, subdivision 3;
1.6 Laws 2023, chapter 61, article 9, section 2, subdivision 13.

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

1.8 Section 1. Minnesota Statutes 2023 Supplement, section 245C.10, subdivision 3, is amended
1.9 to read:

1.10 Subd. 3. **Personal care provider organizations.** (a) The commissioner shall not recover
1.11 the cost of background studies initiated by a personal care provider organization under
1.12 sections 256B.0651 to 256B.0654 and 256B.0659 ~~through a fee of no more than \$44 per~~
1.13 ~~study charged to the organization responsible for submitting the background study form.~~
1.14 ~~The fees collected under this subdivision are appropriated to the commissioner for the~~
1.15 ~~purpose of conducting background studies.~~ The amount necessary to cover the cost of
1.16 background studies conducted under this subdivision is annually appropriated from the
1.17 general fund to the commissioner.

1.18 (b) The subject of the background study or personal care provider organization is
1.19 responsible for paying all fees associated with obtaining and processing a background study
1.20 subject's classifiable fingerprints and photograph.

2.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 245C.10, subdivision 10, is amended
2.2 to read:

2.3 Subd. 10. **Community first services and supports organizations.** (a) The commissioner
2.4 shall not recover the cost of background studies initiated by an agency-provider delivering
2.5 services under section 256B.85, subdivision 11, or a financial management services provider
2.6 providing service functions under section 256B.85, subdivision 13, through a fee of no more
2.7 than \$44 per study, charged to the organization responsible for submitting the background
2.8 study form. The fees collected under this subdivision are appropriated to the commissioner
2.9 for the purpose of conducting background studies. The amount necessary to cover the cost
2.10 of background studies conducted under this subdivision is annually appropriated from the
2.11 general fund to the commissioner.

2.12 (b) The subject of the background study, agency-provider, or financial management
2.13 services provider is responsible for paying all fees associated with obtaining and processing
2.14 a background study subject's classifiable fingerprints and photograph.

2.15 Sec. 3. Minnesota Statutes 2022, section 245C.10, subdivision 18, is amended to read:

2.16 Subd. 18. **Applicants, licensees, and other occupations regulated by commissioner**
2.17 **of health.** (a) The applicant or license holder is responsible for paying to the Department
2.18 of Human Services all fees associated with the preparation of the fingerprints, the criminal
2.19 records check consent form, and the criminal background check.

2.20 (b) Notwithstanding paragraph (a), the commissioner shall not recover the cost of
2.21 background studies for direct care professionals employed by home care agencies licensed
2.22 under chapter 144A. The amount necessary to cover the cost of background studies conducted
2.23 under this paragraph is annually appropriated from the general fund to the commissioner.
2.24 The subject of the background study or home care agency remains responsible for paying
2.25 all fees associated with obtaining and processing a background study subject's classifiable
2.26 fingerprints and photograph.

2.27 Sec. 4. Minnesota Statutes 2023 Supplement, section 256.4764, subdivision 3, is amended
2.28 to read:

2.29 Subd. 3. **Allowable uses of grant money.** (a) Grantees must use grant money to provide
2.30 payments to eligible workers for the following purposes:

2.31 (1) retention, recruitment, and incentive payments;

2.32 (2) postsecondary loan and tuition payments;

- 3.1 (3) child care costs;
- 3.2 (4) transportation-related costs; and
- 3.3 ~~(5) personal care assistant background study costs; and~~
- 3.4 ~~(6)~~ (5) other costs associated with retaining and recruiting workers, as approved by the
- 3.5 commissioner.

3.6 (b) Eligible workers may receive cumulative payments up to \$1,000 per year from the

3.7 workforce incentive grant account and all other state money intended for the same purpose.

3.8 (c) The commissioner must develop a grant cycle distribution plan that allows for

3.9 equitable distribution of money among eligible employers. The commissioner's determination

3.10 of the grant awards and amounts is final and is not subject to appeal.

3.11 Sec. 5. Laws 2023, chapter 61, article 9, section 2, subdivision 13, is amended to read:

3.12	Subd. 13. Grant Programs; Other Long-Term		
3.13	Care Grants	152,387,000	1,925,000

3.14 (a) **Provider Capacity Grant for Rural and**

3.15 **Underserved Communities.** \$17,148,000 in

3.16 fiscal year 2024 is for provider capacity grants

3.17 for rural and underserved communities.

3.18 Notwithstanding Minnesota Statutes, section

3.19 16A.28, this appropriation is available until

3.20 June 30, 2027. This is a onetime appropriation.

3.21 (b) **New American Legal, Social Services,**

3.22 **and Long-Term Care Grant Program.**

3.23 \$28,316,000 in fiscal year 2024 is for

3.24 long-term care workforce grants for new

3.25 Americans. Notwithstanding Minnesota

3.26 Statutes, section 16A.28, this appropriation is

3.27 available until June 30, 2027. This is a onetime

3.28 appropriation.

3.29 (c) **Supported Decision Making Programs.**

3.30 \$4,000,000 in fiscal year 2024 is for supported

3.31 decision making grants. This is a onetime

3.32 appropriation and is available until June 30,

3.33 2025.

4.1 **(d) Direct Support Professionals**

4.2 **Employee-Owned Cooperative Program.**

4.3 \$350,000 in fiscal year 2024 is for a grant to
4.4 the Metropolitan Consortium of Community
4.5 Developers for the Direct Support
4.6 Professionals Employee-Owned Cooperative
4.7 program. The grantee must use the grant
4.8 amount for outreach and engagement,
4.9 managing a screening and selection process,
4.10 providing one-on-one technical assistance,
4.11 developing and providing training curricula
4.12 related to cooperative development and home
4.13 and community-based waiver services,
4.14 administration, reporting, and program
4.15 evaluation. This is a onetime appropriation
4.16 and is available until June 30, 2025.

4.17 **(e) Long-Term Services and Supports**

4.18 **Workforce Incentive Grants.** \$83,560,000
4.19 in fiscal year 2024 is for long-term services
4.20 and supports workforce incentive grants
4.21 administered according to Minnesota Statutes,
4.22 section 256.4764. Notwithstanding Minnesota
4.23 Statutes, section 16A.28, this appropriation is
4.24 available until June 30, 2029. This is a onetime
4.25 appropriation.

4.26 ~~**(f) Base Level Adjustment.** The general fund~~
4.27 ~~base is \$3,949,000 in fiscal year 2026 and~~
4.28 ~~\$3,949,000 in fiscal year 2027. Of these~~
4.29 ~~amounts, \$2,024,000 in fiscal year 2026 and~~
4.30 ~~\$2,024,000 in fiscal year 2027 are for PCA~~
4.31 ~~background study grants.~~