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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3835

02/15/2024 Authored by Frederick and Hicks
02/28/2024 The bill was read for the first time and referred to the Committee on Human Services Policy
Adoption of Report: Re-referred to the Committee on Human Services Finance

1.1 A bill for an act
1.2 relating to human services; directing the commissioner of human services to
1.3 authorize indirect billing for individualized home supports.

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

1.5 Section 1. DIRECTION TO COMMISSIONER; INDIRECT BILLING
1.6 AUTHORIZATION FOR INDIVIDUALIZED HOME SUPPORTS.

1.7 (a) No later than December 1, 2024, the commissioner of human services shall submit
1.8 to the federal Centers for Medicare and Medicaid Services any necessary amendments to
1.9 home and community-based services waiver plans to allow for providers providing
1.10 individualized home supports with training, individualized home supports without training,
1.11 and individualized home supports with family training to bill for services that do not require
1.12 direct contact with the service recipient but are within an allowable community living service
1.13 category. Allowable tasks that may be billed under paragraph (b) that do not require direct
1.14 contact with the service recipient include but are not limited to:

1.15 (1) researching, coordinating, and arranging for transportation, necessary equipment,
1.16 and all support and training needed to allow a service recipient to safely access the
1.17 community;

1.18 (2) arranging and coordinating access to all necessary health care, including scheduling
1.19 medical appointments, communicating with health professionals, benefits fact-gathering,
1.20 review and analysis, and all support and training needed to support the service recipient's
1.21 health and well-being;

2.1 (3) coordinating and advocating to ensure needed legal support, crisis prevention, positive
2.2 support strategies, and all support and training needed to maintain the service recipient's
2.3 preferences;

2.4 (4) collaborating with employers to ensure maintenance of the service recipient's desired
2.5 employment;

2.6 (5) arranging and coordinating access to resources to meet basic needs, including
2.7 necessary shelter, food shelf, and phone and Internet services;

2.8 (6) coordinating to ensure the service recipient is able to continue to live independently
2.9 in their own home, including collaborating with property management, coordinating with
2.10 other home and community-based service providers, meeting with the recipient's
2.11 interdisciplinary team members, and ensuring access to proper equipment and technology
2.12 and all support and training needed to maintain the service recipient's preferences; and

2.13 (7) coordinating with other service providers and natural supports as needed for status
2.14 changes and crisis management.

2.15 (b) Individualized home supports services that do not require direct contact with the
2.16 recipient may only be billed if:

2.17 (1) the services are necessary to ensure continuity of other necessary services and supports
2.18 for the service recipient; and

2.19 (2) reasonable attempts have been made to directly involve the service recipient in the
2.20 allowable service, or the recipient is not able to be directly involved due to illness, injury,
2.21 or other factors; or

2.22 (3) the service recipient has made an informed choice to allow for services to be provided
2.23 without their direct contact.