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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **1298**

02/06/2023 Authored by Edelson, Bahner, Kiel, Kotyza-Witthuhn, Neu Brindley and others
 The bill was read for the first time and referred to the Committee on Human Services Policy
 03/20/2023 Adoption of Report: Amended and re-referred to the Committee on Human Services Finance

1.1 A bill for an act
 1.2 relating to human services; modifying essential community supports; establishing
 1.3 a grant program for respite services; appropriating money; requiring reports;
 1.4 amending Minnesota Statutes 2022, section 256B.0922, subdivision 1; proposing
 1.5 coding for new law in Minnesota Statutes, chapter 256.

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

1.7 Section 1. **[256.9756] CAREGIVER RESPITE SERVICES GRANTS.**

1.8 **Subdivision 1. Caregiver respite services grant program established.** The
 1.9 commissioner of human services must establish a caregiver respite services grant program
 1.10 to increase the availability of respite services for family caregivers of people with dementia
 1.11 and older adults and to provide information, education, and training to respite caregivers
 1.12 and volunteers regarding caring for people with dementia. From the funds made available
 1.13 for this purpose, the commissioner must award grants on a competitive basis to respite
 1.14 service providers, giving priority to areas of the state where there is a high need of respite
 1.15 services.

1.16 **Subd. 2. Eligible uses.** Grant recipients awarded grant funding under this section must
 1.17 use a portion of the grant award as determined by the commissioner to provide free or
 1.18 subsidized respite services for family caregivers of people with dementia and older adults.

1.19 **Subd. 3. Report.** By January 15, 2026, and every other January 15 thereafter, the
 1.20 commissioner shall submit a progress report about the caregiver respite services grants in
 1.21 this section to the chairs and ranking minority members of the legislative committees with
 1.22 jurisdiction over human services. The progress report must include metrics of the use of the
 1.23 grant program funds.

2.1 Sec. 2. Minnesota Statutes 2022, section 256B.0922, subdivision 1, is amended to read:

2.2 Subdivision 1. **Essential community supports.** (a) The purpose of the essential
2.3 community supports program is to provide targeted services to persons age 65 and older
2.4 who need essential community support, but whose needs do not meet the level of care
2.5 required for nursing facility placement under section 144.0724, subdivision 11.

2.6 (b) Essential community supports are available not to exceed ~~\$400~~ \$600 per person per
2.7 month. Essential community supports may be used as authorized within an authorization
2.8 period not to exceed 12 months. Services must be available to a person who:

2.9 (1) is age 65 or older;

2.10 (2) is not eligible for medical assistance;

2.11 (3) has received a community assessment under section 256B.0911, subdivisions 17 to
2.12 21, 23, 24, or 27, and does not require the level of care provided in a nursing facility;

2.13 (4) meets the financial eligibility criteria for the alternative care program under section
2.14 256B.0913, subdivision 4;

2.15 (5) has an assessment summary; and

2.16 (6) has been determined by a community assessment under section 256B.0911,
2.17 subdivisions 17 to 21, 23, 24, or 27, to be a person who would require provision of at least
2.18 one of the following services, as defined in the approved elderly waiver plan, in order to
2.19 maintain their community residence:

2.20 (i) adult day services;

2.21 (ii) caregiver support, including respite care;

2.22 (iii) homemaker support;

2.23 (iv) adult companion services;

2.24 ~~(iv)~~ (v) chores;

2.25 ~~(v)~~ (vi) a personal emergency response device or system;

2.26 ~~(vi)~~ (vii) home-delivered meals; or

2.27 ~~(vii)~~ (viii) community living assistance as defined by the commissioner.

2.28 (c) The person receiving any of the essential community supports in this subdivision
2.29 must also receive service coordination, not to exceed \$600 in a 12-month authorization
2.30 period, as part of their assessment summary.

3.1 (d) A person who has been determined to be eligible for essential community supports
3.2 must be reassessed at least annually and continue to meet the criteria in paragraph (b) to
3.3 remain eligible for essential community supports.

3.4 (e) The commissioner is authorized to use federal matching funds for essential community
3.5 supports as necessary and to meet demand for essential community supports as outlined in
3.6 subdivision 2, and that amount of federal funds is appropriated to the commissioner for this
3.7 purpose.

3.8 **Sec. 3. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; CAREGIVER**
3.9 **RESPITE SERVICES GRANTS.**

3.10 Beginning in fiscal year 2025, the commissioner of human services must continue the
3.11 respite services for older adults grant program established under Laws 2021, First Special
3.12 Session chapter 7, article 17, section 17, subdivision 3, under the authority granted under
3.13 Minnesota Statutes, section 256.9756. The commissioner may begin the grant application
3.14 process for awarding grants under Minnesota Statutes, section 256.9756, during fiscal year
3.15 2024 in order to facilitate the continuity of the grant program during the transition from a
3.16 temporary program to a permanent one.

3.17 **Sec. 4. APPROPRIATIONS; CAREGIVER RESPITE SERVICES GRANTS.**

3.18 \$2,000,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
3.19 of human services for caregiver respite services grants under Minnesota Statutes, section
3.20 256.9756.