

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 1823

(SENATE AUTHORS: WIKLUND)

DATE	D-PG	OFFICIAL STATUS
02/25/2014	5833	Introduction and first reading Referred to Health, Human Services and Housing

1.1 A bill for an act

1.2 relating to human services; modifying medical assistance coverage of electronic

1.3 tablets as durable medical equipment; amending Minnesota Statutes 2013

1.4 Supplement, section 256B.0625, subdivision 31.

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

1.6 Section 1. Minnesota Statutes 2013 Supplement, section 256B.0625, subdivision 31,

1.7 is amended to read:

1.8 Subd. 31. **Medical supplies and equipment.** (a) Medical assistance covers medical

1.9 supplies and equipment. Separate payment outside of the facility's payment rate shall

1.10 be made for wheelchairs and wheelchair accessories for recipients who are residents

1.11 of intermediate care facilities for the developmentally disabled. Reimbursement for

1.12 wheelchairs and wheelchair accessories for ICF/DD recipients shall be subject to the same

1.13 conditions and limitations as coverage for recipients who do not reside in institutions. A

1.14 wheelchair purchased outside of the facility's payment rate is the property of the recipient.

1.15 The commissioner may set reimbursement rates for specified categories of medical

1.16 supplies at levels below the Medicare payment rate.

1.17 (b) Vendors of durable medical equipment, prosthetics, orthotics, or medical supplies

1.18 must enroll as a Medicare provider.

1.19 (c) When necessary to ensure access to durable medical equipment, prosthetics,

1.20 orthotics, or medical supplies, the commissioner may exempt a vendor from the Medicare

1.21 enrollment requirement if:

1.22 (1) the vendor supplies only one type of durable medical equipment, prosthetic,

1.23 orthotic, or medical supply;

1.24 (2) the vendor serves ten or fewer medical assistance recipients per year;

(3) the commissioner finds that other vendors are not available to provide same or similar durable medical equipment, prosthetics, orthotics, or medical supplies; and

(4) the vendor complies with all screening requirements in this chapter and Code of Federal Regulations, title 42, part 455. The commissioner may also exempt a vendor from the Medicare enrollment requirement if the vendor is accredited by a Centers for Medicare and Medicaid Services approved national accreditation organization as complying with the Medicare program's supplier and quality standards and the vendor serves primarily pediatric patients.

(d) Durable medical equipment means a device or equipment that:

(1) can withstand repeated use;

(2) is generally not useful in the absence of an illness, injury, or disability; and

(3) is provided to correct or accommodate a physiological disorder or physical condition or is generally used primarily for a medical purpose.

(e) Electronic tablets may be considered durable medical equipment if the electronic tablet will be used as an augmentative and alternative communication system as defined under subdivision 31a, paragraph (a). ~~To be covered by medical assistance, the device must be locked in order to prevent use not related to communication.~~