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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2023

02/25/2014 Authored by Fritz, Liebling and Abeler

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

02/27/2014 Adoption of Report: Amended and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act  
1.2 relating to human services; increasing payment rates for home care nursing  
1.3 services; changing terminology; amending Minnesota Statutes 2012, section  
1.4 256B.0654, subdivision 1, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2012, section 256B.0654, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **Definitions.** (a) "~~Complex private-duty home care nursing care~~"  
1.9 means home care nursing services provided to recipients who are ventilator dependent or  
1.10 for whom a physician has certified that the recipient would meet the criteria for inpatient  
1.11 hospital intensive care unit (ICU) level of care meet the criteria for regular home care  
1.12 nursing and require life-sustaining interventions to reduce the risk of long-term injury  
1.13 or death.

1.14 (b) "~~Private-duty Home care nursing~~" means ongoing professional physician-ordered  
1.15 hourly nursing services by a registered or licensed practical nurse including assessment,  
1.16 professional nursing tasks, and education, based on an assessment and physician orders  
1.17 to maintain or restore optimal health of the recipient. performed by a registered nurse or  
1.18 licensed practical nurse within the scope of practice as defined by the Minnesota Nurse  
1.19 Practice Act under sections 148.171 to 148.285, in order to maintain or restore a person's  
1.20 health.

1.21 (c) "~~Private-duty Home care nursing agency~~" means a medical assistance enrolled  
1.22 provider licensed under chapter 144A to provide private-duty home care nursing services.

1.23 (d) "~~Regular private-duty home care nursing~~" means nursing services provided to  
1.24 a recipient who is considered stable and not at an inpatient hospital intensive care unit

2.1 ~~level of care, but may have episodes of instability that are not life threatening.~~ home  
2.2 care nursing provided because:

2.3 (1) the recipient requires more individual and continuous care than can be provided  
2.4 during a skilled nurse visit; or

2.5 (2) the cares are outside of the scope of services that can be provided by a home  
2.6 health aide or personal care assistant.

2.7 (e) "Shared ~~private duty~~ home care nursing" means the provision of home care  
2.8 nursing services by a ~~private duty~~ home care nurse to two recipients at the same time  
2.9 and in the same setting.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2014.

2.11 Sec. 2. Minnesota Statutes 2012, section 256B.0654, is amended by adding a  
2.12 subdivision to read:

2.13 **Subd. 5. Payment rates for home care nursing services.** Effective for services  
2.14 provided on or after July 1, 2014, payments for regular home care nursing services shall  
2.15 be increased by 19 percent from the rates in effect on June 30, 2014, and payments for  
2.16 complex home care nursing services shall be increased by 19 percent from the rates in  
2.17 effect on June 30, 2014. This increase does not apply to federally qualified health centers,  
2.18 rural health centers, and Indian health services. The commissioner shall adjust payment  
2.19 rates to managed care and county-based purchasing plans to reflect this increase, and shall  
2.20 require plans to pass on the full amount of the rate increase to eligible home care nursing  
2.21 service providers, in the form of higher payments for home care nursing services.

2.22 Sec. 3. **REVISOR'S INSTRUCTION.**

2.23 The revisor of statutes shall change the term "private duty nursing" or similar terms  
2.24 to "home care nursing" or similar terms, and shall change the term "private duty nurse" to  
2.25 "home care nurse," wherever these terms appear in Minnesota Statutes and Minnesota  
2.26 Rules. The revisor shall also make grammatical changes related to the changes in terms.