

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 2806

(SENATE AUTHORS: NELSON and Abeler)		
DATE	D-PG	OFFICIAL STATUS
02/03/2022	4881	Introduction and first reading
		Referred to Human Services Reform Finance and Policy
02/10/2022	4975	Author added Abeler

1.1

A bill for an act

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relating to behavioral health; establishing a temporary program to facilitate youth

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mental health services; appropriating money.

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

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Section 1. **TEMPORARY YOUTH MENTAL HEALTH SERVICES PROGRAM.**

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Subdivision 1. Definitions. For purposes of this section the following terms have the

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meanings given:

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(1) "commissioner" means the commissioner of human services;

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(2) "portal" means the website or web-based application described in subdivision 3 that

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facilitates the program;

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(3) "program" means the temporary youth mental health services program established

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in this section;

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(4) "provider" means:

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(i) a health care professional who is licensed under Minnesota Statutes, chapters 147,

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147A, 148B, 148E, and 148F, and Minnesota Statutes, sections 148.171 to 148.2841, and

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148.88 to 148.981;

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(ii) a mental health practitioner as defined under Minnesota Statutes, section 245.462,

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subdivision 17, or 245.4871, subdivision 26; or

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(iii) a mental health professional as defined under Minnesota Statutes, section 245.462,

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subdivision 18, or 245.4871, subdivision 27;

(5) "telehealth" has the same meaning as provided under Minnesota Statutes, section 62A.673, subdivision 2, paragraph (h), except that for this program, telehealth includes audio-only communication; and

(6) "youth" means:

(i) an individual who is 18 years of age or younger; and

(ii) an individual who is 21 years of age or younger but older than 18 years of age and who is receiving special education services pursuant to Minnesota Statutes, chapter 125A.

Subd. 2. **Commissioner duties.** (a) The commissioner shall establish a temporary youth mental health services program to facilitate access to mental health services, including substance use disorder services, and to respond to mental health needs identified in an initial mental health screening through the portal, including those needs that may have resulted from the COVID-19 pandemic.

(b) The commissioner shall:

(1) develop a process consistent with the requirements of this section for providers to apply for, and demonstrate eligibility in order to receive, reimbursement for the program;

(2) determine a reasonable rate of reimbursement for each mental health session with a youth client pursuant to the program that is in accordance with subdivision 4; and

(3) implement a statewide public awareness and outreach campaign about the program that involves schools, youth organizations, health care providers, faith-based organizations, and other community-based organizations that interact with youths at the local level in disseminating information about the program.

(c) As soon as practicable, but no later than September 1, 2022, the commissioner shall enter into an agreement with a vendor to create a portal or use an existing website or web-based application as a portal that is available to youths and providers in order to facilitate the program. The selection of a vendor pursuant to this paragraph is exempt from the procurement requirements in Minnesota Statutes, chapter 16C.

Subd. 3. **Portal requirements.** The portal must:

(1) serve as a platform for initial age-appropriate mental health screenings to determine if a youth may benefit from mental health support;

(2) allow providers to register and share in-person or telehealth appointment availability;

(3) when practicable, connect each youth with providers who accept the youth's health insurance coverage or another payment source that may cover the cost of ongoing mental

3.1 health treatment, if the youth has access to health insurance coverage or another payment
3.2 source; and

3.3 (4) allow a youth, regardless of whether the youth has health insurance coverage or
3.4 another payment source available, to schedule a telehealth appointment with a provider. An
3.5 in-person appointment may be provided if available.

3.6 Subd. 4. **Provider reimbursement; duties.** (a) To be eligible for reimbursement, a
3.7 provider must be available to provide at least three mental health sessions to each eligible
3.8 youth the provider accepts as a client, either through telehealth or in person. The
3.9 commissioner shall reimburse providers who participate in the program for each mental
3.10 health session provided for up to three sessions with an eligible youth. The rate for each
3.11 mental health session shall be determined by the commissioner but must be at least equal
3.12 to the fee-for-service medical assistance rate for the same or similar mental health service.

3.13 (b) Each provider must maintain client confidentiality pursuant to state and federal law
3.14 with regard to a youth client who participates in a mental health session with the provider
3.15 pursuant to the program.

3.16 Subd. 5. **Report.** (a) By October 1, 2024, the commissioner shall report the following
3.17 information to the chairs and ranking minority members of the legislative committees with
3.18 jurisdiction over health and human services policy and finance:

3.19 (1) the number of youths who received services under the program;

3.20 (2) the services, in aggregate, provided to youths under the program;

3.21 (3) the average number of sessions that were provided to each youth;

3.22 (4) the number of providers who participated in the program;

3.23 (5) how many sessions were provided through telehealth and how many sessions were
3.24 provided in person; and

3.25 (6) any other relevant information regarding the program.

3.26 (b) The report shall not include any personally identifiable information in accordance
3.27 with state and federal law.

3.28 Subd. 6. **Sunset.** This section expires June 30, 2024.

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Sec. 2. **APPROPRIATION.**

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\$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of

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human services to establish and implement the temporary youth mental health services

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program.