Department of Human Services

Proposed Repeal of Obsolete Rules

3300.5060   TERMS AND CONDITIONS FOR PROVISION OF VOCATIONAL REHABILITATION SERVICES.

[For text of subparts 1 to 6, see Minnesota Rules]

Subp. 7. **Personal assistance services.**

[For text of items A to D, see Minnesota Rules]

E. Agency payments for personal assistance services must be made at the lesser of the provider's submitted charges or the maximum rate established by ~~part 9505.0335, subpart 11~~ Minnesota Statutes, section 256B.851, as adjusted by the Consumer Price Index for urban consumers as published by the Bureau of Labor Statistics, United States Department of Labor and is incorporated by reference. It is subject to frequent change and is available from the Minitex interlibrary loan system.

[For text of items F and G, see Minnesota Rules]

[For text of subparts 7a to 16, see Minnesota Rules]

9505.0295   HOME HEALTH SERVICES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Covered services.** Home health services in items A to H are eligible for medical assistance payment:

[For text of items A to C, see Minnesota Rules]

D. personal care services under ~~part 9505.0335~~ Minnesota Statutes, section 256B.0659;

[For text of items E to H, see Minnesota Rules]

[For text of subparts 3 and 4, see Minnesota Rules]

Subp. 5. **Payment limitation; screening team.** Medical assistance payment for screening team services provided in subpart 3 is prohibited for a screening team that has a common financial interest, with the provider of home health services or for a provider of a personal care service listed in ~~part 9505.0335, subparts 8 and 9~~ Minnesota Statutes, section 256B.0659, subdivision 2, unless:

[For text of items A and B, see Minnesota Rules]

9505.0297   HOSPICE CARE SERVICES.

[For text of subparts 1 to 8, see Minnesota Rules]

Subp. 9. **Waiver of other benefits.** A recipient who elects hospice care under subpart 6 or for whom a representative elects hospice care under subpart 7 waives the right to medical assistance payments during the recipient's hospice stay for the following services:

[For text of items A and B, see Minnesota Rules]

C. Personal care services, under ~~part 9505.0335~~ Minnesota Statutes, section 256B.0659.

[For text of subparts 10 to 15, see Minnesota Rules]

Subp. 16. **Covered services.** As required by the recipient's plan of care, the services listed in items A to D must be provided directly by hospice employees, except that the hospice may contract for these services under the circumstances provided for in Code of Federal Regulations, title 42, section 418.80. As required by the recipient's plan of care, the services listed in items E to I must be provided directly or be made available by the hospice.

[For text of items A to G, see Minnesota Rules]

H. Home health aide services and homemaker services. Home health aides may provide personal care services as described in ~~part 9505.0335, subparts 8 and 9~~ Minnesota

Statutes, section 256B.0659, subdivision 2. Home health aides and homemakers may perform household services to maintain a safe and sanitary environment in areas of the home used by the recipient, such as changing the recipient's bed linens or light cleaning and laundering essential to the comfort and cleanliness of the recipient. Home health aide services must be provided under the supervision of a registered nurse.

[For text of item I, see Minnesota Rules]

[For text of subparts 17 to 20, see Minnesota Rules]

9505.0360   HOME CARE NURSING SERVICES.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 3. **Covered service.** A home care nursing service in items A to C is eligible for medical assistance payment:

[For text of items A and B, see Minnesota Rules]

C. service that is required for the instruction or supervision of a personal care assistant under ~~part 9505.0335~~ Minnesota Statutes, section 256B.0659. The service must be provided by a registered nurse.

[For text of subpart 4, see Minnesota Rules]

REPEALER. Minnesota Rules, parts 9505.0335; and 9505.2175, subpart 7, are repealed.