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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 601

02/01/2021 Authored by Her, Hamilton, Albright, Hassan, Reyer and others
The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

1.1 A bill for an act
1.2 relating to human services; modifying housing support; amending Minnesota
1.3 Statutes 2020, section 256I.05, subdivision 1c.

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

1.5 Section 1. Minnesota Statutes 2020, section 256I.05, subdivision 1c, is amended to read:

1.6 Subd. 1c. Rate increases. An agency may not increase the rates negotiated for housing
1.7 support above those in effect on June 30, 1993, except as provided in paragraphs (a) to (f).

1.8 (a) An agency may increase the rates for room and board to the MSA equivalent rate
1.9 for those settings whose current rate is below the MSA equivalent rate.

1.10 (b) An agency may increase the rates for residents in adult foster care whose difficulty
1.11 of care has increased. The total housing support rate for these residents must not exceed the
1.12 maximum rate specified in subdivisions 1 and 1a. Agencies must not include nor increase
1.13 difficulty of care rates for adults in foster care whose difficulty of care is eligible for funding
1.14 by home and community-based waiver programs under title XIX of the Social Security Act.

1.15 (c) The room and board rates will be increased each year when the MSA equivalent rate
1.16 is adjusted for SSI cost-of-living increases by the amount of the annual SSI increase, less
1.17 the amount of the increase in the medical assistance personal needs allowance under section
1.18 256B.35.

1.19 (d) When housing support pays for an individual's room and board, or other costs
1.20 necessary to provide room and board, the rate payable to the residence must continue for
1.21 up to 18 calendar days per incident that the person is temporarily absent from the residence,
1.22 not to exceed 60 days in a calendar year, if the absence or absences are reported in advance

2.1 to the county agency's social service staff. Advance reporting is not required for emergency
2.2 absences due to crisis, illness, or injury. For purposes of maintaining housing while
2.3 temporarily absent due to residential behavioral health treatment or health care treatment
2.4 that requires admission to an inpatient hospital, nursing facility, or other health care facility,
2.5 the room and board rate for an individual is payable beyond an 18-calendar-day absence
2.6 period and may exceed 60 days in a calendar year.

2.7 (e) For facilities meeting substantial change criteria within the prior year. Substantial
2.8 change criteria exists if the establishment experiences a 25 percent increase or decrease in
2.9 the total number of its beds, if the net cost of capital additions or improvements is in excess
2.10 of 15 percent of the current market value of the residence, or if the residence physically
2.11 moves, or changes its licensure, and incurs a resulting increase in operation and property
2.12 costs.

2.13 (f) Until June 30, 1994, an agency may increase by up to five percent the total rate paid
2.14 for recipients of assistance under sections 256D.01 to 256D.21 or 256D.33 to 256D.54 who
2.15 reside in residences that are licensed by the commissioner of health as a boarding care home,
2.16 but are not certified for the purposes of the medical assistance program. However, an increase
2.17 under this clause must not exceed an amount equivalent to 65 percent of the 1991 medical
2.18 assistance reimbursement rate for nursing home resident class A, in the geographic grouping
2.19 in which the facility is located, as established under Minnesota Rules, parts 9549.0051 to
2.20 9549.0058.

2.21 (g) An agency may increase the rates by \$100 per month for residents in settings under
2.22 section 256I.04, subdivision 2a, paragraph (b), clause (2). Participants in the Minnesota
2.23 supportive housing demonstration program under section 256I.04, subdivision 3, paragraph
2.24 (a), clause (3), may not receive the increase under this paragraph.

2.25 **EFFECTIVE DATE.** Paragraph (d) is effective retroactively from December 31, 2020,
2.26 and paragraph (g) is effective July 1, 2021.