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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 346

01/17/2023 Authored by Reyer, Her, Kiel, Fischer, Hicks and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to human services; establishing mental health services rate increase bridge;
1.3 amending Minnesota Statutes 2022, section 256B.761.

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

1.5 Section 1. Minnesota Statutes 2022, section 256B.761, is amended to read:

1.6 256B.761 REIMBURSEMENT FOR MENTAL HEALTH SERVICES.

1.7 (a) Effective for services rendered on or after July 1, 2001, payment for medication
1.8 management provided to psychiatric patients, outpatient mental health services, day treatment
1.9 services, home-based mental health services, and family community support services shall
1.10 be paid at the lower of (1) submitted charges, or (2) 75.6 percent of the 50th percentile of
1.11 1999 charges.

1.12 (b) Effective July 1, 2001, the medical assistance rates for outpatient mental health
1.13 services provided by an entity that operates: (1) a Medicare-certified comprehensive
1.14 outpatient rehabilitation facility; and (2) a facility that was certified prior to January 1, 1993,
1.15 with at least 33 percent of the clients receiving rehabilitation services in the most recent
1.16 calendar year who are medical assistance recipients, will be increased by 38 percent, when
1.17 those services are provided within the comprehensive outpatient rehabilitation facility and
1.18 provided to residents of nursing facilities owned by the entity.

1.19 (c) In addition to rate increases otherwise provided, the commissioner may restructure
1.20 coverage policy and rates to improve access to adult rehabilitative mental health services
1.21 under section 256B.0623 and related mental health support services under section 256B.021,
1.22 subdivision 4, paragraph (f), clause (2). For state fiscal years 2015 and 2016, the projected

2.1 state share of increased costs due to this paragraph is transferred from adult mental health
2.2 grants under sections 245.4661 and 256E.12. The transfer for fiscal year 2016 is a permanent
2.3 base adjustment for subsequent fiscal years. Payments made to managed care plans and
2.4 county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall reflect
2.5 the rate changes described in this paragraph.

2.6 (d) Any ratables effective before July 1, 2015, do not apply to early intensive
2.7 developmental and behavioral intervention (EIDBI) benefits described in section 256B.0949.

2.8 (e) Effective for services rendered on or after January 1, 2024, payment rates for
2.9 behavioral health services included in the rate analysis required by Laws 2021, First Special
2.10 Session chapter 7, article 17, section 18, must be increased by 35 percent from the rates in
2.11 effect on December 31, 2023. Effective for services rendered on or after January 1, 2025,
2.12 payment rates for behavioral health services included in the rate analysis required by Laws
2.13 2021, First Special Session chapter 7, article 17, section 18, must be annually adjusted
2.14 according to the Consumer Price Index for medical care services. This paragraph does not
2.15 apply to federally qualified health centers, rural health centers, Indian health services,
2.16 certified community behavioral health clinics, cost-based rates, and rates that are negotiated
2.17 with the county. This paragraph expires upon legislative implementation of the new rate
2.18 methodology resulting from the rate analysis required by Laws 2021, First Special Session
2.19 chapter 7, article 17, section 18.