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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 168

06/19/2020 Authored by Novotny and Robbins
The bill was read for the first time and referred to the Health and Human Services Finance Division

1.1 A bill for an act
1.2 relating to human services; establishing temporary fixed-cost reimbursement rates
1.3 for day programs and employment service providers.

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

1.5 Section 1. COVID-19-RELATED REIMBURSEMENT FOR DAY PROGRAMS
1.6 AND EMPLOYMENT SERVICES.

1.7 Subdivision 1. Fixed-cost reimbursement. Notwithstanding any law to the contrary,
1.8 the commissioner of human services shall temporarily reimburse disability services providers
1.9 at the rate described in subdivision 3 for the fixed costs associated with eligible services
1.10 described in subdivision 2. The commissioner of human services shall reimburse providers
1.11 for eligible services that were not provided during the time the commissioner of health's
1.12 temporary guidelines related to limiting gatherings of people with complex health issues
1.13 are in effect. The commissioner of human services shall continue to reimburse providers
1.14 for eligible services under this section until the commissioner of health informs the
1.15 commissioner of human services that the commissioner of health has withdrawn the
1.16 temporary guidelines related to limiting gatherings of people with complex health issues.

1.17 Subd. 2. Eligible services. Disability services providers are eligible for reimbursement
1.18 under this section for the following services:

1.19 (1) adult day services, day treatment and habilitation, day support services, prevocational
1.20 services, and structured day services reimbursed under Minnesota Statutes, section
1.21 256B.4914, subdivision 7; and

2.1 (2) employment exploration services, employment development services, and employment
2.2 support services reimbursed under Minnesota Statutes, section 256B.4914, subdivision 8.

2.3 Subd. 3. **Fixed-cost reimbursement rate.** The commissioner shall reimburse providers
2.4 for eligible services that were not provided during the time described in subdivision 1 but
2.5 would otherwise have been provided to qualified individuals based on a service authorization
2.6 approved or in effect on March 16, 2020. The commissioner shall reimburse providers for
2.7 eligible services at a rate equal to 50 percent of the rate determined under Minnesota Statutes,
2.8 section 256B.4914. In determining which services would have been provided, the
2.9 commissioner shall assume that recipients would not have been absent.

2.10 Subd. 4. **Excess spending provisions suspended.** The excess spending provisions under
2.11 Minnesota Statutes, sections 256B.0916, subdivision 11, and 256B.49, subdivision 26, are
2.12 suspended for any excess spending attributable to reimbursement under this section.

2.13 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.14 applies retroactively to eligible services that were not provided but would have been provided
2.15 on or after March 16, 2020.