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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2544

03/02/2023 Authored by Baker, Frederick, Fischer, Kiel, Engen and others
The bill was read for the first time and referred to the Committee on Human Services Finance

1.1 A bill for an act
1.2 relating to human services; establishing payment rates for substance use disorder
1.3 treatment services with medications for opioid use disorder; proposing coding for
1.4 new law in Minnesota Statutes, chapter 254B.

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

1.6 Section 1. 254B.121] RATE METHODOLOGY; SUBSTANCE USE DISORDER
1.7 TREATMENT SERVICES WITH MEDICATIONS FOR OPIOID USE DISORDER.

1.8 Subdivision 1. Rates established. Notwithstanding sections 254B.03, subdivision 9,
1.9 paragraph (a), clause (2); 254B.05, subdivision 5, paragraph (a); and 254B.12, subdivision
1.10 1, the commissioner shall use the rates in this section for substance use disorder treatment
1.11 services with medications for opioid use disorder under section 254B.05, subdivision 5,
1.12 paragraph (b), clause (6).

1.13 Subd. 2. Rate updates. Effective each January 1, the commissioner must update the
1.14 rates for the services specified in this section to equal the corresponding Minnesota specific
1.15 locality adjusted Medicare rates for the same or comparable services in the calendar year
1.16 in which the services are provided.

1.17 Subd. 3. No medication bundle. The weekly rate for substance use counseling, individual
1.18 and group therapy, and toxicology testing without administering or dispensing a medication
1.19 is \$194.21.

1.20 Subd. 4. Methadone take-home. The weekly rate for dispensing a seven-day take-home
1.21 supply of methadone is \$39.29.

2.1 Subd. 5. **Methadone bundle.** The weekly rate for administering or dispensing a seven-day
2.2 supply of methadone, substance use counseling, individual and group therapy, and toxicology
2.3 testing is \$244.56.

2.4 Subd. 6. **Naltrexone injectable bundle.** For a week in which a naltrexone injection is
2.5 administered, the weekly rate for the naltrexone injection, substance use counseling,
2.6 individual and group therapy, and toxicology testing is \$1,552.69.

2.7 Subd. 7. **Buprenorphine take-home.** The weekly rate for dispensing a seven-day
2.8 take-home supply of buprenorphine is \$80.53.

2.9 Subd. 8. **Buprenorphine bundle.** The weekly rate for administering or dispensing a
2.10 seven-day supply of buprenorphine, substance use counseling, individual and group therapy,
2.11 and toxicology testing is \$285.80.

2.12 Subd. 9. **Buprenorphine injectable bundle.** For a week in which a buprenorphine
2.13 injection is administered, the weekly rate for the buprenorphine injection, substance use
2.14 counseling, individual and group therapy, and toxicology testing is \$1,948.22.

2.15 Subd. 10. **Buprenorphine implant insertion bundle.** For a week in which a
2.16 buprenorphine implant is inserted, the weekly rate for the buprenorphine implantation,
2.17 substance use counseling, individual and group therapy, and toxicology testing is \$5,403.44.

2.18 Subd. 11. **Buprenorphine implant removal bundle.** For a week in which a
2.19 buprenorphine implant is removed, the weekly rate for the buprenorphine implant removal,
2.20 substance use counseling, individual and group therapy, and toxicology testing is \$473.94.

2.21 Subd. 12. **Buprenorphine implantation and removal bundle.** For a week in which a
2.22 buprenorphine implant is both inserted and removed, the weekly rate for the buprenorphine
2.23 implantation, implant removal, substance use counseling, individual and group therapy, and
2.24 toxicology testing is \$5,634.20.

2.25 Subd. 13. **Intake activity add-on.** For a week in which both substance use disorder
2.26 treatment services with medications for opioid use disorder are provided and intake activities
2.27 occur, the weekly add-on for the intake activities is \$188.99.

2.28 Subd. 14. **Periodic assessment add-on.** For a week in which both substance use disorder
2.29 treatment services with medications for opioid use disorder are provided and a periodic
2.30 assessment is conducted, the weekly add-on for the periodic assessment is \$116.14.

2.31 Subd. 15. **Additional counseling add-on.** For a week in which both substance use
2.32 disorder treatment services with medications for opioid use disorder are provided and

3.1 additional counseling exceeding the minimum number of minutes required under a bundled
3.2 rate are provided, the weekly add-on for each additional 30 minutes of counseling is \$32.59.

3.3 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to services
3.4 rendered on or after that date.

3.5 Sec. 2. **[254B.1215] RATE METHODOLOGY; OFFICE-BASED OPIOID USE**
3.6 **DISORDER TREATMENT.**

3.7 Subdivision 1. **Rates established.** Notwithstanding sections 254B.03, subdivision 9,
3.8 paragraph (a), clause (2); 254B.05, subdivision 5, paragraph (a); and 254B.12, subdivision
3.9 1, the commissioner shall use the rates in this section for office-based substance use disorder
3.10 treatment services with medications for opioid use disorder under section 254B.05,
3.11 subdivision 5, paragraph (b), clause (6).

3.12 Subd. 2. **Rate updates.** The commissioner must update the rates for the services specified
3.13 in this section to equal the corresponding Minnesota specific locality adjusted Medicare
3.14 rates for the same or comparable services in the calendar year in which the services are
3.15 provided.

3.16 Subd. 3. **Initial monthly bundle.** The initial monthly rate for office-based development
3.17 of a treatment plan, care coordination, and at least 70 minutes of individual therapy, group
3.18 therapy, or counseling is \$430.87.

3.19 Subd. 4. **Subsequent monthly bundle.** For any month directly following a month in
3.20 which a payment was made under this section for services provided to an individual, the
3.21 subsequent monthly rate for office-based care coordination and at least 60 minutes of
3.22 individual therapy, group therapy, or counseling is \$383.45.

3.23 Subd. 5. **Presumptive drug tests.** The rate for medically necessary presumptive drug
3.24 tests to detect the presence or absence of a drug or drug class conducted in conjunction with
3.25 office-based substance use disorder treatment services with medications for opioid use
3.26 disorder are specified in clauses (1) to (3):

3.27 (1) the rate for a presumptive drug test using a device or procedure capable of being
3.28 read by direct optical observation is \$12.60 per test;

3.29 (2) the rate for a presumptive drug test using a device or procedure read by
3.30 instrument-assisted direct optical observation is \$17.14 per test; and

3.31 (3) the rate for a presumptive drug test using a chemistry analyzer is \$62.14 per test.

- 4.1 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to services
- 4.2 rendered on or after that date.