A bill for an act

relating to human services; prohibiting certain restrictions on waivered service living arrangements; requiring the transfer of certain clients from group residential housing to waivered services; modifying certain group residential housing supplementary service payment rate caps; amending Minnesota Statutes 2008, section 256B.49, by adding subdivisions.

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

Section 1. Minnesota Statutes 2008, section 256B.49, is amended by adding a subdivision to read:

Subd. 23. **Living arrangements.** The commissioner shall not place a limit, without express legislative approval, on the number of adult recipients of home and community-based waivered services receiving assisted living plus services or customized living services who may reside in one building, regardless of adult recipient age. Limits in effect on May 1, 2001, on the number of recipients who may reside in one living unit shall remain in effect, regardless of the number of units in a building. The commissioner shall not deny medical assistance enrollment based on building capacity to an otherwise-qualified provider of waivered services.

Sec. 2. Minnesota Statutes 2008, section 256B.49, is amended by adding a subdivision to read:

Subd. 24. **Conversion of group residential housing recipients.** (a) Counties, with the cooperation and assistance of the commissioner, shall convert waiver-eligible clients from group residential housing services to the community alternatives for disabled individuals waiver or the traumatic brain injury waiver and ensure that applicants for

group residential housing services who are eligible for waivered services receive waivered services instead of group residential housing services.

(b) Any legislatively established limit on community alternatives for disabled individuals or traumatic brain injury waivered service slots shall not apply to slots established under paragraph (a).

(c) The nonfederal share of waivered service costs for persons enrolled in waivered services under paragraph (a) shall not exceed by more than ten percent the group residential housing supplementary service cost for that person.