

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-THIRD SESSION**

**S.F. No. 792**

(SENATE AUTHORS: FATEH)

| DATE       | D-PG  | OFFICIAL STATUS   |
|------------|-------|---|
| 01/26/2023 | 413   | Introduction and first reading<br>Referred to Human Services              |
| 03/07/2024 | 12065 | Chief author stricken Utke<br>Chief author added Fateh                    |
| 03/13/2024 |       | Comm report: To pass as amended and re-refer to Health and Human Services |

1.1 A bill for an act

1.2 relating to human services; establishing continuity of care requirements for seniors

1.3 receiving personal assistance under medical assistance managed care; amending

1.4 Minnesota Statutes 2022, section 256B.69, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 256B.69, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 6h. Continuity of care for seniors receiving personal assistance. (a) If an

1.9 individual 65 years of age or older is receiving personal assistance from the same agency

1.10 continuously during the six months prior to being newly enrolled with any managed care

1.11 or county-based purchasing plan, the managed care plan or county-based purchasing plan

1.12 with which the individual is newly enrolled must allow the enrollee to continue to receive

1.13 any personal assistance otherwise covered under the terms of the plan from the enrollee's

1.14 current agency, provided the enrollee continues to live in the service area of the enrollee's

1.15 current agency.

1.16 (b) This subdivision applies only if the enrollee's current agency agrees to accept as

1.17 payment in full the lesser of either:

1.18 (1) the managed care plan's or county-based purchasing plan's in-network reimbursement

1.19 rate for the same covered service at the time the service is provided; or

1.20 (2) the medical assistance fee-for-service rate for the same covered service at the time

1.21 the service is provided.

1.22 (c) For the purposes of this subdivision, "agency" means any of the following:

- 2.1 (1) an agency provider as described in section 256B.85;
- 2.2 (2) a financial management services provider for an enrollee who directly employs direct
- 2.3 care staff through the community first services and supports budget model or through the
- 2.4 consumer-directed community supports option available under the alternative care program,
- 2.5 the elderly waiver, or the Minnesota senior health option; or
- 2.6 (3) a personal care assistance provider agency as defined under section 256B.0659,
- 2.7 subdivision 1, paragraph (1).
- 2.8 (d) For the purposes of this subdivision, "personal assistance" means any of the following:
- 2.9 (1) community first services and supports, extended community first services and
- 2.10 supports, or enhanced rate community first services and supports under section 256B.85;
- 2.11 (2) personal assistance provided through the consumer-directed community supports
- 2.12 option available under the alternative care program, the elderly waiver, or the Minnesota
- 2.13 senior health option; or
- 2.14 (3) personal care assistance services, extended personal care assistance services, or
- 2.15 enhanced rate personal care assistance services under section 256B.0659.
- 2.16 **EFFECTIVE DATE.** This section is effective July 1, 2023.