

CHAPTER 256I

GROUP RESIDENTIAL HOUSING

2561.05 Monthly rates.

2561.07 Respite care pilot project for family adult foster care providers.

2561.05 MONTHLY RATES.*[For text of subds 1 to 1c, see M.S.2000]*

Subd. 1d. **Supplementary service rates for certain facilities serving persons with mental illness or chemical dependency.** Notwithstanding the provisions of subdivisions 1a and 1c, a county agency may negotiate a supplementary service rate in addition to the board and lodging rate for facilities licensed and registered by the Minnesota department of health under section 157.17 prior to December 31, 1996, if the facility meets the following criteria:

- (1) at least 75 percent of the residents have a primary diagnosis of mental illness, chemical dependency, or both, and have related special needs;
- (2) the facility provides 24-hour, on-site, year-round supportive services by qualified staff capable of intervention in a crisis of persons with late-state inebriety or mental illness who are vulnerable to abuse or neglect;
- (3) the services at the facility include, but are not limited to:
 - (i) secure central storage of medication;
 - (ii) reminders and monitoring of medication for self-administration;
 - (iii) support for developing an individual medical and social service plan, updating the plan, and monitoring compliance with the plan; and
 - (iv) assistance with setting up meetings, appointments, and transportation to access medical, chemical health, and mental health service providers;
- (4) each resident has a documented need for at least one of the services provided;
- (5) each resident has been offered an opportunity to apply for admission to a licensed residential treatment program for mental illness, chemical dependency, or both, have refused that offer, and the offer and their refusal has been documented to writing; and
- (6) the residents are not eligible for home and community-based services waivers because of their unique need for community support.

Until June 30, 2002, the supplementary service rate of qualifying facilities under this subdivision may be increased by up to 15 percent of the supplementary service rate in effect on January 1, 2001, for the facility. Qualifying facilities with no supplementary service rate may negotiate a supplementary service rate not to exceed \$300 per month.

Subd. 1e. **Supplementary rate for certain facilities.** Notwithstanding the provisions of subdivisions 1a and 1c, beginning July 1, 2001, a county agency shall negotiate a supplementary rate in addition to the rate specified in subdivision 1, equal to 46 percent of the amount specified in subdivision 1a, including any legislatively authorized inflationary adjustments, for a group residential housing provider that:

- (1) is located in Hennepin county and has had a group residential housing contract with the county since June 1996;
- (2) operates in three separate locations a 71-bed facility, and two 40-bed facilities; and
- (3) serves a chemically dependent clientele, providing 24 hours per day supervision and limiting a resident's maximum length of stay to 13 months out of a consecutive 24-month period.

Subd. 1f. **Supplementary service rate increases on or after July 1, 2001.** Until June 30, 2002, the supplementary service rate for recipients of assistance under section

256I.04 who reside in a residence that is licensed by the commissioner of health as a boarding care home but is not certified for purposes of the medical assistance program may be increased by up to 32 percent of the supplementary service rate in effect for that facility on January 1, 2001. The new rate shall not exceed the nonfederal share of the statewide weighted average monthly medical assistance nursing facility payment rate for case mix A in effect on January 1, 2001.

[For text of subds 2 to 8, see M.S.2000]

History: *1Sp2001 c 9 art 13 s 14-16*

256I.07 RESPITE CARE PILOT PROJECT FOR FAMILY ADULT FOSTER CARE PROVIDERS.

Subdivision 1. **Program established.** The state recognizes the importance of developing and maintaining quality family foster care resources. In order to accomplish that goal, the commissioner shall establish a two-year respite care pilot project for family adult foster care providers in three counties. This pilot project is intended to provide support to caregivers of family adult foster care residents. The commissioner shall establish a state-funded pilot project to accomplish the provisions in subdivisions 2 to 4.

Subd. 2. **Eligibility.** A family adult foster care home provider as defined under section 144D.01, subdivision 7, who has been licensed for six months is eligible for up to 30 days of respite care per calendar year. In cases of emergency, a county social services agency may waive the six-month licensing requirement. In order to be eligible to receive respite payment, a provider must take time off away from their foster care residents.

Subd. 3. **Payment structure.** (a) The rate of payment for respite care for an adult foster care resident eligible for only group residential housing shall be based on the current monthly group residential housing base room and board rate and the current maximum monthly group residential housing difficulty of care rate.

(b) The rate of payment for respite care for an adult foster care resident eligible for alternative care funds shall be based on the resident's alternative care foster care rate.

(c) The rate of payment for respite care for an adult foster care resident eligible for Medicaid home and community-based services waiver funds shall be based on the group residential housing base room and board rate.

(d) The total amount available to pay for respite care for a family adult foster care provider shall be based on the number of residents currently served in the foster care home. Respite care must be paid for on a per diem basis and for a full day.

Subd. 4. **Private pay residents.** Payment for respite care for private pay foster care residents must be arranged between the provider and the resident or the resident's family.

History: *1Sp2001 c 9 art 3 s 71*