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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **491**

February 1, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to health; preventing unintended pregnancies by increasing access to
1.3 family planning; authorizing registered nurses to dispense oral contraceptives
1.4 in family planning clinics; increasing reimbursement rates for family planning
1.5 services; expanding the definition of a governmental unit; eliminating the
1.6 reduction in family planning grants; appropriating money; amending Minnesota
1.7 Statutes 2006, sections 148.235, by adding a subdivision; 471.59, subdivision 1;
1.8 Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2;
1.9 proposing coding for new law in Minnesota Statutes, chapter 256B.

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

1.11 Section 1. **PURPOSE.**

1.12 The legislature finds that many Minnesota women do not have access to affordable
1.13 family planning services. The legislature further finds that 55 percent of all MFIP
1.14 expenditures are directed toward families that begin with a teenager giving birth. Further,
1.15 in Minnesota, the incidences of sexually transmitted infections have reached the highest
1.16 level ever and Medicaid funded abortions have increased 44 percent in the past five years.

1.17 The legislature further recognizes that repeated peer-reviewed studies have shown
1.18 that for every public expenditure of \$1 for family planning services, a savings of an
1.19 estimated \$3.80 is realized and that providing adequate access to family planning services
1.20 will prevent unintended pregnancies, prevent abortions, and reduce the number of women
1.21 who need medical assistance, MFIP, and other social services.

1.22 Sec. 2. Minnesota Statutes 2006, section 148.235, is amended by adding a subdivision
1.23 to read:

1.24 Subd. 11. **Dispensing by protocol.** A registered nurse in a family planning clinic
1.25 may dispense oral contraceptives prescribed by a licensed practitioner as defined in

2.1 section 151.01, subdivision 23, pursuant to a dispensing protocol established by a licensed
 2.2 practitioner employed by the family planning clinic. The dispensing protocol must address
 2.3 the requirements of sections 151.01, subdivision 30, and 151.212, subdivision 1.

2.4 **Sec. 3. [256B.764] REIMBURSEMENT FOR FAMILY PLANNING SERVICES.**

2.5 Effective for services rendered on or after July 1, 2007, payment rates for family
 2.6 planning services shall be increased by 25 percent over the rates in effect July 30, 2007,
 2.7 when these services are provided by a community clinic as defined in section 145.9268,
 2.8 subdivision 1.

2.9 Sec. 4. Minnesota Statutes 2006, section 471.59, subdivision 1, is amended to read:

2.10 Subdivision 1. **Agreement.** Two or more governmental units, by agreement entered
 2.11 into through action of their governing bodies, may jointly or cooperatively exercise any
 2.12 power common to the contracting parties or any similar powers, including those which
 2.13 are the same except for the territorial limits within which they may be exercised. The
 2.14 agreement may provide for the exercise of such powers by one or more of the participating
 2.15 governmental units on behalf of the other participating units. The term "governmental
 2.16 unit" as used in this section includes every city, county, town, school district, other
 2.17 political subdivision of this or another state, another state, the University of Minnesota,
 2.18 nonprofit hospitals licensed under sections 144.50 to 144.56, rehabilitation facilities and
 2.19 extended employment providers that are certified by the commissioner of employment
 2.20 and economic development, day training and habilitation services licensed under sections
 2.21 245B.01 to 245B.08, nonprofit community health clinics providing family planning
 2.22 services as defined in section 145.925, and any agency of the state of Minnesota or the
 2.23 United States, and includes any instrumentality of a governmental unit. For the purpose of
 2.24 this section, an instrumentality of a governmental unit means an instrumentality having
 2.25 independent policy making and appropriating authority.

2.26 Sec. 5. Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2,
 2.27 is amended to read:

2.28 **Subd. 2. Community and Family Health**
 2.29 **Improvement**

2.30	Summary by Fund		
2.31	General	40,413,000	40,382,000
2.32	State Government		
2.33	Special Revenue	141,000	128,000

3.1	Health Care Access	3,510,000	3,516,000
3.2	Federal TANF	6,000,000	6,000,000

3.3 ~~**Family Planning Base Reduction.** Base~~
3.4 ~~level funding for the family planning~~
3.5 ~~special projects grant program is reduced~~
3.6 ~~by \$1,877,000 each year of the biennium~~
3.7 ~~beginning July 1, 2007, provided that~~
3.8 ~~this reduction shall only take place~~
3.9 ~~upon full implementation of the family~~
3.10 ~~planning project section of the 1115 waiver.~~
3.11 ~~Notwithstanding Minnesota Statutes, section~~
3.12 ~~145.925, the commissioner shall give priority~~
3.13 ~~to community health care clinics providing~~
3.14 ~~family planning services that either serve a~~
3.15 ~~high number of women who do not qualify~~
3.16 ~~for medical assistance or are unable to~~
3.17 ~~participate in the medical assistance program~~
3.18 ~~as a medical assistance provider when~~
3.19 ~~allocating the remaining appropriations.~~
3.20 ~~Notwithstanding section 15, this paragraph~~
3.21 ~~shall not expire.~~

3.22 **Shaken Baby Video.** Of the state
3.23 government special revenue fund
3.24 appropriation, \$13,000 in 2006 is
3.25 appropriated to the commissioner of health
3.26 to provide a video to hospitals on shaken
3.27 baby syndrome. The commissioner of health
3.28 shall assess a fee to hospitals to cover the
3.29 cost of the approved shaken baby video and
3.30 the revenue received is to be deposited in the
3.31 state government special revenue fund.

3.32 **Sec. 6. FAMILY PLANNING 1115 MEDICAID WAIVER.**

3.33 The commissioner of human services shall request an amendment to the 1115
3.34 Medicaid demonstration project for family planning services to include coverage for the

4.1 testing and treatment of sexually transmitted infections (STI's) and complication services
4.2 regardless of whether the services are provided in relation or ancillary to family planning.

4.3 **Sec. 7. FAMILY PLANNING REIMBURSEMENT RATES.**

4.4 The commissioner of human services shall work with family planning clinics to
4.5 adjust the medical assistance reimbursement rates to adequately cover the cost of doing
4.6 business.

4.7 **Sec. 8. APPROPRIATION.**

4.8 \$8,000,000 is appropriated from the general fund to the commissioner of health
4.9 for the biennium beginning July 1, 2007, for family planning grants under Minnesota
4.10 Statutes, section 145.925.