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State of Minnesota

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HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3167

February 18, 2008

Authored by Johnson, Hosch and Walker

The bill was read for the first time and referred to the Committee on Finance

March 11, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to human services; clarifying senior nutrition appropriations; amending
1.3 Laws 2007, chapter 147, article 19, section 3, subdivision 8.

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

1.5 Section 1. Laws 2007, chapter 147, article 19, section 3, subdivision 8, is amended to
1.6 read:

1.7 Subd. 8. **Continuing Care Grants**

1.8 The amounts that may be spent from the
1.9 appropriation for each purpose are as follows:

1.10 (a) **Aging and Adult Services Grants**

1.11 General 14,357,000 14,727,000

1.12 **Information and Assistance**

1.13 **Reimbursement.** Federal administrative
1.14 reimbursement obtained from information
1.15 and assistance services provided by the
1.16 Senior LinkAge Line to people who are
1.17 identified as eligible for medical assistance
1.18 is appropriated to the commissioner for this
1.19 activity.

1.20 **Senior Companion Program.** Of this
1.21 appropriation, \$42,000 each year is for the

2.1 senior companion program under Minnesota
2.2 Statutes, section 256.977.

2.3 **Volunteer Senior Citizens.** Of this
2.4 appropriation, \$42,000 each year is for the
2.5 volunteer programs for retired senior citizens
2.6 under Minnesota Statutes, section 256.9753.

2.7 **Foster Grandparent Program.** Of this
2.8 appropriation, \$41,000 each year is for the
2.9 foster grandparent program in Minnesota
2.10 Statutes, section 256.976.

2.11 **Senior Nutrition.** Of this appropriation,
2.12 \$125,000 each year is for the senior nutrition
2.13 programs under Minnesota Statutes, section
2.14 256.9752. The commissioner shall give
2.15 priority to ~~increase services to: (1) persons~~
2.16 ~~facing language or cultural barriers, (2)~~
2.17 ~~persons with special diets, (3) persons~~
2.18 ~~living in isolated rural areas, and (4) other~~
2.19 ~~hard-to-serve populations~~ maintaining home
2.20 delivery and congregate dining services
2.21 existing on July 1, 2007.

2.22 **Base Adjustment.** The general fund base
2.23 is \$14,774,000 in fiscal year 2010 and
2.24 \$14,899,000 in fiscal year 2011.

2.25 **(b) Alternative Care Grants**

2.26 General 49,858,000 51,758,000

2.27 **Alternative Care Transfer.** Any money
2.28 allocated to the alternative care program that
2.29 is not spent for the purposes indicated does
2.30 not cancel but is transferred to the medical
2.31 assistance account.

2.32 **Base Adjustment.** The general fund
2.33 base is \$52,120,000 in fiscal year 2010

3.1 and \$52,277,000 in fiscal year 2011 for
3.2 alternative care grants.

3.3 **(c) Medical Assistance Grants - Long-Term**
3.4 **Care Facilities**

3.5 General 496,920,000 499,556,000

3.6 **Long-Term Care Consultation Funding**

3.7 **Increase.** For the rate year beginning
3.8 October 1, 2008, the county long-term
3.9 care consultation allocations in Minnesota
3.10 Statutes, section 256B.0911, subdivision
3.11 6, must be increased based on the number
3.12 of transitional long-term care consultation
3.13 visits projected by the commissioner in
3.14 each county. For the rate year beginning
3.15 October 1, 2009, final allocations must be
3.16 determined based on the average between
3.17 the actual number of transitional long-term
3.18 care visits that were conducted in the prior
3.19 12-month period and the projected number
3.20 of consultations that will be provided in
3.21 the rate year beginning October 1, 2009.
3.22 Notwithstanding any contrary provision in
3.23 this article, this paragraph expires June 30,
3.24 2010.

3.25 **Nursing Facility Sprinkler Systems.** Of
3.26 the general fund appropriation, \$2,500,000
3.27 the first year is to reimburse the costs of
3.28 nursing facility sprinkler systems under
3.29 Minnesota Statutes, section 256B.434,
3.30 subdivision 4, paragraph (e). Any portion of
3.31 this appropriation not spent in the first year
3.32 shall not cancel but shall be available for the
3.33 second year.

3.34 **Nursing Home Moratorium Exceptions.**
3.35 During fiscal year 2008, the commissioner of

4.1 health may approve moratorium exception
 4.2 projects under Minnesota Statutes, section
 4.3 144A.073, for which the full annualized
 4.4 state share of medical assistance costs does
 4.5 not exceed \$3,000,000. During fiscal year
 4.6 2009, the commissioner of health may
 4.7 approve moratorium exception projects
 4.8 under Minnesota Statutes, section 144A.073,
 4.9 for which the full annualized state share of
 4.10 medical assistance costs does not exceed
 4.11 \$3,000,000 less the amount approved during
 4.12 the first year. Priority shall be given to
 4.13 proposals that entail:

- 4.14 (1) complete building replacement in
- 4.15 conjunction with reductions in the number of
- 4.16 beds in a county, with greater weight given
- 4.17 to projects in counties with a greater than
- 4.18 average number of beds per 1,000 elderly;
- 4.19 (2) technology improvements;
- 4.20 (3) improvements in life safety;
- 4.21 (4) construction of nursing facilities that are
- 4.22 part of senior services campuses; and
- 4.23 (5) improvements in the work environment.

4.24 **(d) Medical Assistance Grants - Long-Term**
 4.25 **Care Waivers and Home Care Grants**

4.26 General 957,020,000 1,075,074,000

4.27 **County CADI allocation adjustment.**

4.28 (1) The commissioner shall adjust 2007
 4.29 home and community-based allocations
 4.30 under Minnesota Statutes, section 256B.49,
 4.31 to qualifying counties that transferred
 4.32 persons to the community alternatives for
 4.33 disabled individuals (CADI) waiver program
 4.34 under Laws 2006, chapter 282, article 20,

5.1 section 35. The adjustment shall reflect
 5.2 the amount that county-authorized funding
 5.3 for CADI waiver services exceeded the
 5.4 allowable amount as shown in the Medicaid
 5.5 Management Information System (MMIS)
 5.6 on March 1, 2007.

5.7 (2) A county that may qualify under
 5.8 paragraph (1) shall apply to the commissioner
 5.9 by June 10, 2007. Following a review of the
 5.10 county request and the MMIS documentation,
 5.11 the commissioner shall adjust the county
 5.12 allocation, as appropriate, by June 25, 2007.

5.13 (3) The amounts provided to a county under
 5.14 this section shall become part of the county's
 5.15 base level state allocation for the CADI
 5.16 waiver for the biennium beginning July 1,
 5.17 2007.

5.18 (4) This rider is effective the day following
 5.19 final enactment.

5.20 **(e) Mental Health Grants**

5.21	Appropriations by Fund		
5.22	General	59,632,000	62,217,000
5.23	Health Care Access	750,000	750,000
5.24	Lottery Prize	1,933,000	1,633,000

5.25 **Mental Health Crisis Services.** Of the
 5.26 general fund appropriation, \$2,528,000 in
 5.27 fiscal year 2008 and \$3,278,000 in fiscal
 5.28 year 2009 are for statewide funding of adult
 5.29 mental health crisis services. Providers must
 5.30 utilize all available funding streams.

5.31 **Adult Mental Health Evidence-Based**
 5.32 **and Best Practices.** Of the general fund
 5.33 appropriation, \$375,000 in fiscal year 2008
 5.34 and \$750,000 in fiscal year 2009 are for
 5.35 adult mental health evidence-based and

6.1 best practices including, but not limited
6.2 to, Assertive Community Treatment and
6.3 Integrated Dual Diagnosis Treatment
6.4 services. The commissioner shall require
6.5 grantees to utilize all available third-party
6.6 reimbursement sources as a condition of
6.7 using state grant funds.

6.8 **Culturally Specific Mental Health**
6.9 **Treatment Grants.** Of the general fund
6.10 appropriation, \$75,000 in fiscal year 2008
6.11 and \$300,000 in fiscal year 2009 are for adult
6.12 mental health grants to support increased
6.13 availability of mental health services for
6.14 persons from cultural and ethnic minorities
6.15 within the state. The commissioner shall use
6.16 at least 20 percent of these funds to help
6.17 members of cultural and ethnic minority
6.18 communities to become qualified mental
6.19 health professionals and practitioners. The
6.20 commissioner shall assist grantees to meet
6.21 third-party credentialing requirements
6.22 and require them to utilize all available
6.23 third-party reimbursement sources as a
6.24 condition of using state grant funds.

6.25 **Mental Health Services for Adults with**
6.26 **Special Treatment Needs.** Of the general
6.27 fund appropriation, \$50,000 in fiscal year
6.28 2008 and \$200,000 in fiscal year 2009 are
6.29 for adult mental health grants to support
6.30 increased availability of mental health
6.31 services for adults with special treatment
6.32 needs. These adults shall include, but not
6.33 be limited to: victims of trauma, including
6.34 persons subjected to abuse or neglect,
6.35 veterans and their families, and refugee
6.36 populations; person's with complex treatment

7.1 needs, such as eating disorders; and those
7.2 with low incidence disorders.

7.3 **Supportive Housing Services for Adults**
7.4 **with Mental Illness.** Of the general fund
7.5 appropriation, \$1,750,000 in fiscal year
7.6 2008 and \$1,500,000 in fiscal year 2009 are
7.7 for adult mental health grants to support
7.8 increased availability of a range of housing
7.9 options with supports for persons with
7.10 serious mental illness.

7.11 **National Council on Problem Gambling.**
7.12 (1) Of the appropriation from the lottery prize
7.13 fund, \$225,000 each year is for a grant to
7.14 the state affiliate recognized by the National
7.15 Council on Problem Gambling. The affiliate
7.16 must provide services to increase public
7.17 awareness of problem gambling, education,
7.18 and training for individuals and organizations
7.19 providing effective treatment services to
7.20 problem gamblers and their families, and
7.21 research relating to problem gambling. These
7.22 services must be complementary to and not
7.23 duplicative of the services provided through
7.24 the problem gambling program administered
7.25 by the commissioner of human services. This
7.26 grant does not prevent the commissioner
7.27 from regular monitoring and oversight of the
7.28 grant or the ability to reallocate the funds to
7.29 other services within the problem gambling
7.30 program for nonperformance of duties by
7.31 the grantee.

7.32 (2) Of this appropriation, \$100,000 in
7.33 fiscal year 2008 and \$100,000 in fiscal year
7.34 2009 are contingent on the contribution
7.35 of nonstate matching funds. Matching

8.1 funds may be either cash or qualifying
8.2 in-kind contributions. The commissioner of
8.3 finance may disburse the state portion of the
8.4 matching funds in increments of \$25,000
8.5 upon receipt of a commitment for an equal
8.6 amount of matching nonstate funds. The
8.7 general fund base shall be \$100,000 in fiscal
8.8 year 2010 and \$100,000 in fiscal year 2011.

8.9 (3) Of the lottery prize fund appropriation,
8.10 \$100,000 in fiscal year 2008 is for a grant
8.11 or grants to be awarded competitively
8.12 to develop programs and services for
8.13 problem gambling treatment, prevention,
8.14 and education in immigrant communities.
8.15 This appropriation is available until June
8.16 30, 2009, at which time the project must
8.17 be completed and final products delivered,
8.18 unless an earlier completion date is specified
8.19 in the work program.

8.20 **Compulsive Gambling.** Of the lottery prize
8.21 fund appropriation, \$300,000 in fiscal year
8.22 2008 and \$100,000 in fiscal year 2009 are for
8.23 purposes of compulsive gambling education,
8.24 assessment, and treatment under Minnesota
8.25 Statutes, section 245.98.

8.26 **Compulsive Gambling Study.** Of the lottery
8.27 prize fund appropriation, \$100,000 in fiscal
8.28 year 2008 is to continue the study currently
8.29 being done on compulsive gambling
8.30 treatment effectiveness and long-term effects
8.31 of gambling.

8.32 **Base Adjustment.** The general fund base
8.33 is \$59,460,000 in each of fiscal years 2010
8.34 and 2011.

9.1 **Base Adjustment.** The lottery prize fund
 9.2 base is \$1,508,000 in each of fiscal years
 9.3 2010 and 2011.

9.4 **(f) Deaf and Hard-of-Hearing Grants**

9.5	General	1,730,000	1,964,000
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9.6 **Hearing Loss Mentors.** Of the general
 9.7 fund appropriation, \$40,000 each year is to
 9.8 provide mentors who have a hearing loss
 9.9 to parents of newly identified infants and
 9.10 children with hearing loss.

9.11 **Base Adjustment.** The general fund base is
 9.12 \$1,968,000 in each of fiscal years 2010 and
 9.13 2011.

9.14 **(g) Chemical Dependency Entitlement Grants**

9.15	General	78,225,000	88,138,000
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9.16 **(h) Chemical Dependency Nonentitlement**
 9.17 **Grants**

9.18	General	1,655,000	1,805,000
9.19	TANF	150,000	150,000

9.20 **Methamphetamine Abuse Grants.** Of the
 9.21 general fund appropriation, \$175,000 in the
 9.22 first year and \$375,000 in the second year
 9.23 are for grants to existing programs that treat
 9.24 methamphetamine abuse, and the abuse
 9.25 of other substances in Carlton, Faribault,
 9.26 Martin, Olmsted, and Anoka Counties, that
 9.27 received grant funds under Laws 2005,
 9.28 chapter 136, article 1, section 9, subdivision
 9.29 6. The commissioner shall administer the
 9.30 grants to programs that the commissioner
 9.31 deems successful, and may discontinue
 9.32 grants to programs after an evaluation of
 9.33 the program and a determination by the
 9.34 commissioner that the program should no

10.1 longer receive funds. This appropriation
10.2 shall not become part of base level funding.

10.3 **Native American Juvenile Treatment**

10.4 **Center.** Of the general fund appropriation,
10.5 \$50,000 is to conduct a feasibility study
10.6 of and to predesign a Native American
10.7 juvenile treatment center on or near the
10.8 White Earth Reservation. The facility must
10.9 house and treat Native American juveniles
10.10 and provide culturally specific programming
10.11 to juveniles placed in the treatment center.

10.12 The commissioner of human services may
10.13 contract with parties who have experience
10.14 in the design and construction of juvenile
10.15 treatment centers to assist in the feasibility
10.16 study and predesign. On or before January
10.17 15, 2008, the commissioner shall present
10.18 the results of the feasibility study and the
10.19 predesign of the facility to the chairs of house
10.20 of representatives and senate committees
10.21 having jurisdiction over human services
10.22 finance, public safety finance, and capital
10.23 investment.

10.24 **Leech Lake Youth Treatment Center.** Of
10.25 the general fund appropriation, \$75,000 each
10.26 year are for a grant to the Leech Lake Youth
10.27 Treatment Center project partners, in order
10.28 to pay the salaries and other directly related
10.29 costs associated with the development of this
10.30 project. This is a onetime appropriation.

10.31 **Base Adjustment.** The general fund base is
10.32 \$1,055,000 in each of fiscal years 2010 and
10.33 2011.

10.34 **(i) Other Continuing Care Grants**

10.35 General 21,409,000 16,983,000

11.1 **Repayment.** Of the general fund
11.2 appropriation, \$4,302,000 the first year
11.3 is to repay the amount of overspending
11.4 in the waiver program for persons with
11.5 developmental disabilities incurred by
11.6 Fillmore, Steele, and St. Louis Counties
11.7 in calendar years 2004 and 2005. * (The
11.8 preceding text beginning "Repayment. Of
11.9 the general fund" was indicated as vetoed by
11.10 the governor.)

11.11 **Department of Employment and Economic**
11.12 **Development Transfer.** For fiscal year 2008,
11.13 the commissioner of finance shall transfer
11.14 \$200,000 from the methamphetamine
11.15 abatement loan fund to the commissioner
11.16 of human services for methamphetamine
11.17 treatment programs.

11.18 **Disability Linkage Line.** Of the general
11.19 fund appropriation, \$469,000 in fiscal year
11.20 2008 and \$626,000 in fiscal year 2009 are to
11.21 establish and maintain the disability linkage
11.22 line.

11.23 **Base Adjustment.** The general fund base
11.24 is \$17,103,000 in fiscal year 2010 and
11.25 \$17,141,000 in fiscal year 2011 for other
11.26 continuing care grants.