

HOUSE RESEARCH

Bill Summary

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Authors: Huntley and others

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Analyst: Lynn Aves, 651-296-8079

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Overview

This bill reforms the mental health service delivery and finance system.

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- 1 Other professionals.** Amends § 148C.11, subd 1. Allows city, county, or state employees to provide assessments without licensure as an alcohol and drug counselor until July 1, 2009. Current law allows them to perform this function without licensure until July 1, 2007.
- 2 Responsibility not duplicated.** Amends § 245.465 by adding subd. 3. Provides that the county board is not responsible for providing mental health services for an individual who has health insurance that covers the services.
- 3 Mental health service delivery and finance reform.** Adds § 245.4682.

Subd. 1. Policy. States that the commissioner of human services shall reform Minnesota's mental health system. The goal is to improve availability, quality and accountability of mental health care in the state.

Subd. 2. General provisions. Paragraph (a). Instructs the commissioner of human services to:

- consult with stakeholders;

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- make recommendations to the legislature and the State Advisory Council on Mental Health by January 15, 2008, regarding the role of counties and to clarify case management roles and functions of counties and health plans;
- ensure continuity of care including client choice of provider;
- provide accountability for use of public and private resources in achieving positive outcomes for consumers; and
- ensure client access to protections and appeals.

Subd. 3. Projects for coordination of care. Paragraph (a). Authorizes the commissioner to solicit, approve, and implement demonstration projects to integrate physical and mental health services within prepaid health plans and their coordination with social services. Specifies components of the locally defined partnerships eligible for consideration as demonstration projects.

Paragraph (b). Instructs the commissioner to consult with consumers, families, and their representatives to:

- determine criteria for approving projects, then use the criteria to solicit proposals for preferred integrated networks;
- determine specifications for contracts with prepaid health plans;
- begin implementation no earlier than January 1, 2009, with no more than 40 percent of the population during 2009, with additional counties included in subsequent years;
- waive any administrative rule inconsistent with implementation of the project; and
- allow potential bidders at least 90 days to respond to the request for proposals.

Paragraph (c). Provides that the commissioner may enroll all individuals with serious mental illness or emotional disturbance who are eligible for medical assistance in the prepaid plan of their choice within the project service area unless the individual is eligible for home and community-based services for persons with developmental disabilities and related conditions, or has a basis for exclusion under section 256B.69, subdivision 4, other than disability, mental illness, or emotional disturbance.

Paragraph (d). States that the commissioner may assign an individual described in paragraph (c) to a prepaid participating plan, if the individual does not elect to stay in fee-for-service medical assistance or refuses to choose a plan.

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Paragraph (e). Allows an individual in a prepaid plan under paragraphs (c) and (d) to disenroll at any time.

Paragraph (f). Instructs the commissioner, in consultation with consumers, families, and their representatives to evaluate the projects implemented in 2009 and refine the design before enrolling more individuals and before expanding the projects.

Paragraph (g). Instructs the commissioner to apply for any necessary federal waivers.

Paragraph (h). Provides that payment for Medicaid services provided during the months of May and June will be made no earlier than July 1 of the same calendar year.

4 **Duties of the county board.** Amends § 245.4874 by adding subd. 2. Provides that a county board is not responsible for providing mental health services to an individual who has health insurance coverage for the services.

5 **Children's mental health grants.** Adds §245.4889.

Subd. 1. Establishment and authority. Authorizes the commissioner to make grants from available appropriations to counties, Indian tribes; children's collaboratives under section 124D.23 or 245.493; or mental health service providers who provide services to children with emotional disturbance or transition services to young adults. Services must be designed to help the child or young adult function in the community.

Subd. 2. Grant application and reporting requirements. Requires applicants to submit, in the form specified by the commissioner, an application and budget. Grantees must be approved by the commissioner. Instructs the commissioner to give priority to applicants that indicate plans to collaborate with other agencies in the local system of care. Requires the commissioner to specify requirements for reports, including quarterly fiscal reports and reports necessary to measure program effectiveness.

6 **Intensive mental health outpatient treatment.** Amends § 256B.0625, by adding subd. 51. Provides that medical assistance covers intensive mental health outpatient treatment for dialectical behavioral therapy for adults. Instructs the commissioner to establish certification procedures for providers and treatment protocols.

States that this section is effective July 1, 2008, subject to federal approval.

7 **Mental health case management.** Amends § 256B.0625, subd. 20. Adds that prepaid medical assistance, GAMC, and MinnesotaCare include mental health case management. States that when provided through prepaid capitation, the nonfederal share is paid by the state and the county pays no share. Provides that when mental health case management service is paid by the state without a federal share through fee-for-service, 50 percent of the cost shall be provided by the recipient's county of responsibility. Deletes obsolete language.

8 **Required preservice and continuing education.** Amends § 256B.0943, subd. 8. Provides that the commissioner must approve curricula for parent team training.

9 **Payment rates.** Amends § 256B.0945, subd. 4. Provides that the per diem rate paid to providers by prepaid plans shall be the proportion of the per-day contract rate for

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rehabilitative mental health services and shall not include payment for group foster care costs or services that are billed to the county of responsibility.

This section is effective January 1, 2009.

- 10** **Limitation of choice.** Amends § 256B.69, subd. 4. Allows the commissioner to enroll children with severe emotional disturbance, in a preferred integrated network under section 245.4682 (section 3 of this bill). Allows this group to decline participation in locations where there is no preferred integrated network.

This section is effective January 1, 2009.

- 11** **Payment for covered services.** Amends § 256B.69, subd. 5g. Excludes mental health services added as covered benefits after December 31, 2007, from the payment reduction to managed care plans.

- 12** **Payment reduction.** Amends § 256B.69, subd. 5h. Excludes mental health services added as covered benefits after December 31, 2007, from the payment reduction to managed care plans.

- 13** **Critical access mental health rate increase.** Amends § 256B.763. Adds paragraph (e) which states that rates shall be increased by 23.7 percent over the rates in effect on January 1, 2006 for medication education services provided by certified adult rehabilitative mental health providers and for mental health behavioral services provided by certified children's therapeutic services and support providers.

Adds paragraph (f) which states that rates shall be increased by 23.7 percent for services listed in paragraph (b) provided by certified children's therapeutic services and support providers that were not included in the payment rate increase already included by paragraph (a).

This section is effective January 1, 2008.

- 14** **General assistance medical care; services.** Amends § 256D.03, subd. 4. Adds mental health services covered by medical assistance as a benefit set for individuals who receive GAMC. Adds that payments for mental health services added as covered benefits are not subject to the payment reductions in paragraphs (i), (k), (l), and (m).

This section is effective January 1, 2008, except mental health case management under paragraph (a)(i)(15) is effective January 1, 2009.

- 15** **Covered health services.** Amends § 256L.03, subd. 1. Adds mental health services covered by medical assistance as a benefit set for individuals who receive MinnesotaCare.

This section is effective January 1, 2008, except mental health case management under subdivision 1 is effective January 1, 2009.

- 16** **Limited benefits coverage for certain single adults and households without children.** Amends § 256L.035. Adds mental health services covered by medical assistance as a benefit set for individuals who receive MinnesotaCare.

This section is effective January 1, 2008, except mental health case management under paragraph (a)(3) is effective January 1, 2009.

- 17** **Rate setting; ratable reduction.** Amends § 256L.12, subd. 9a. Excludes payments for

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mental health services added as covered benefits after December 31, 2007, from the payment reduction to managed care plans under MinnesotaCare.

- 18** **Compulsive gambling assessment required.** Amends § 609.115, subd. 9. Provides that the assessor must be qualified under either Minnesota Rules, part 9585.0040, subpart 1, item C, or qualifications determined to be equivalent by the commissioner. Deletes the maximum amount of \$100 that the commissioner will reimburse the assessor for each assessment.
- 19** **Repealer.** Amends Laws 2005, ch. 98, art. 3, § 25. Repeals the repealer of Minnesota Statutes 2004, section 245.713, subdivision 2.
- 20** **Revisor's instruction.** Instructs the revisor to change references to sections "245.487 to 245.4887" to "245.487 to 245.4889." These sections comprise the Children's Comprehensive Mental Health Act. Instructs the revisor to correct internal references in section 8.
- 21** **Repealer.** Repeals Minnesota Rules, part 9585.0030, regarding reimbursement for compulsive gambling assessors.