

**Subject** Substance Use Disorder Services

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### Overview

This bill contains provisions related to client support for persons receiving substance use disorder (SUD) services, workforce and rate increases and requirements, SUD treatment provider documentation requirements, and other issues related to the provision of SUD services.

## Summary

Section	Description
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| 1 | <b>Housing fidelity bond program.</b><br>Proposes coding for § 116J.418. Requires the commissioner of employment and economic development to request permission from the U.S. Department of Labor to implement a five-year pilot program to provide fidelity bonds for MA enrollees who are receiving, or have received, SUD treatment services within the last 12 months or individuals involved in the criminal justice system. Specifies related requirements for the commissioner. |
| 2 | <b>Certified birth record for persons eligible for MA.</b><br>Proposes coding for § 144.2256. Specifies the procedure by which an MA eligible individual who has been treated for SUD within the last 12 months may apply to the state registrar or local issuance office and receive a certified birth record, or statement of no vital record found; requires statement of eligibility; specifies data classification.                                                               |
| 3 | <b>Birth record fees waived for people treated for substance use disorder.</b><br>Amends § 144.226, by adding subd. 9. Provides that a subject of a birth record who is eligible for MA and has been treated for an SUD within the past 12 months shall not be charged any fees for a certified birth record or statement of no vital record found.                                                                                                                                    |

Makes this section effective January 1, 2023.

<b>Section</b>	<b>Description</b>
4	<p><b>Former students.</b></p> <p>Amends § 148F.11 by adding subd. 2a. Allows a former student to practice alcohol and drug counseling for 90 days from the former student’s degree conferral date or date of last credit received; requires former student practice to be supervised; specifies that this practice automatically expires after 90 days.</p> <p>Provides an immediate effective date.</p>
5	<p><b>Application; identification card or copy of driver’s license.</b></p> <p>Amends § 171.06, by adding subd. 8. Specifies the procedure by which an MA eligible individual who has been treated for an SUD within the last 12 months may apply to the commissioner of public safety or driver’s license agent and receive an identification card or driver’s license, and have all fees waived.</p>
6	<p><b>HIV training in substance use disorder treatment program.</b></p> <p>Amends § 245A.19. Makes technical changes; removes obsolete date; requires commissioner to outline HIV minimum standards training content, rather than provide training.</p>
7	<p><b>Substance use disorder direct care staff increase.</b></p> <p>Amends § 245B.05 by adding subd. 7. Requires that at least 80 percent of the ten percent increase for SUD treatment services provided between January 1, 2023, and March 31, 2025, be used to increase compensation-related costs. Defines “compensation-related costs;” exempts certain compensation-related costs. Requires a provider receiving a rate increase under this subdivision to prepare a distribution plan; specifies plan requirements.</p> <p>Makes this section effective January 1, 2023, or upon federal approval.</p>
8	<p><b>General application and license requirements.</b></p> <p>Amends § 245F.04, subd. 1. Allows supervised living facilities with a class A license to operate withdrawal management programs (current law limits this to facilities with class B licenses).</p>
9	<p><b>Guest speaker.</b></p> <p>Amends § 245G.01, by adding subd. 13b. Provides a definition of “guest speaker.”</p>
10	<p><b>Client record documentation requirements.</b></p> <p>Amends § 245G.06 by adding subd. 2b. Requires SUD treatment license holders to document significant events; specifies client record documentation requirements for residential treatment programs.</p>

Section	Description
11	<p data-bbox="318 264 630 296"><b>Treatment plan review.</b></p> <p data-bbox="318 310 1425 499">Amends § 245G.06, subd. 3. Removes treatment services documentation requirements; modifies treatment plan review requirement from weekly or after each service to at least every 28 days or when there is a significant change. Removes requirement to include the date, type, and amount of each treatment service and the client’s response in the review.</p> <p data-bbox="318 537 886 569">Makes this section effective August 1, 2022.</p>
12	<p data-bbox="318 611 743 642"><b>Transition follow-up counseling.</b></p> <p data-bbox="318 657 1425 926">Amends § 245G.07, by adding subd. 1a. Allows clients discharged from a treatment center to receive, upon client request, individual transition follow-up counseling from that treatment center, for up to one year following discharge. Specifies service criteria and allows providers to bill for the service at the same rate as for individual counseling sessions. Limits counseling to four sessions per month. Specifies documentation requirements and requires prepaid medical assistance plans to allow members to access this benefit.</p> <p data-bbox="318 963 894 995">Makes this section effective January 1, 2023.</p>
13	<p data-bbox="318 1037 683 1068"><b>Transition support services.</b></p> <p data-bbox="318 1083 1401 1230">Amends § 245G.07, by adding subd. 2a. Paragraph (a) requires the commissioner to offer transition support services for six months to a person who receives MA or services from the behavioral health fund and has completed a treatment program that required 15 or more hours of treatment services per week.</p> <p data-bbox="318 1268 1214 1299">Paragraph (b) outlines the components of transition support services.</p> <p data-bbox="318 1337 1414 1446">Paragraph (c) requires the commissioner to maximize existing federal and state funding sources the person is eligible for, and not count these benefits as income for purposes of qualifying for public assistance programs.</p> <p data-bbox="318 1484 1417 1558">Paragraph (d) states that these transition benefits are provided for the full six-month period regardless of public assistance eligibility during that period.</p> <p data-bbox="318 1596 992 1627">Paragraph (e) outlines transit pass eligibility criteria.</p> <p data-bbox="318 1665 1421 1738">Paragraph (f) specifies that coordination of transition support services is available for no more than one six-month period each year.</p>

<b>Section</b>	<b>Description</b>
14	<b>Provider policies and procedures.</b> Amends § 245G.12. Requires license holders to identify in their written policies and procedures manual the groups and topics a guest speaker could address under the direct observation of a licensed alcohol and drug counselor.
15	<b>Rate requirements.</b> Amends § 254B.05, subd. 5. Makes technical and clarifying changes; specifies that a license holder that is unable to provide all residential treatment services because a client missed services remains eligible to bill for the client's service intensity level, under certain circumstances. Allows for treatment week hours to be reduced for federal holidays. Removes provision requiring 25 percent of counseling staff to meet certain criteria for programs serving individuals with co-occurring disorders. Adds documentation requirements for programs using a qualified guest speaker.
16	<b>Temporary rate increase.</b> Amends § 254B.05 by adding subd. 6. Requires the commissioner to increase the base rate for SUD treatment providers by 14 percent on or before July 1, 2024, to remain in effect until comprehensive rate framework is implemented. Requires the commissioner to report to the legislature annually on the framework implementation. Provides subdivision expiration.
17	<b>Substance use disorder treatment effectiveness.</b> Amends § 254B.051. Requires all data collected by the commissioner from SUD treatment providers to be made available to providers. Specifies requirements the commissioner must follow in making this data available, including making the data available at least annually and allowing providers to compare their performance against other providers.
18	<b>Substance use disorder services provider rate increase effective January 1, 2023.</b> Amends § 254B.12 by adding subd. 5. Requires ten percent rate increase for specified SUD treatment services provided on or after January 1, 2023.
19	<b>Annual report on provider reimbursement rates.</b> Amends § 256B.69, subd. 9f. Requires the annual DHS report to the legislature on managed care and county-based purchasing plan reimbursement rates to include SUD service rates.
20	<b>Direction to the commissioner; substance use disorder treatment paperwork reduction.</b> Amends Laws 2021, First Special Session chapter 7, article 11, section 38. Requires the commissioner to implement paperwork reductions and systems improvements

**Section** **Description**

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within two years of contracting with a qualified vendor (strikes the current implementation date of December 15, 2022).



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