

1.1 moves to amend H.F. No. 584 as follows:

1.2 Page 2, delete section 3 and insert:

1.3 "Sec. 3. Minnesota Statutes 2010, section 256B.0916, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 11. **Waiver request; family adult day services.** The commissioner shall seek
1.6 federal waiver approval for Medicaid reimbursement of family adult day services under all
1.7 disability waivers. Family adult day services will be available under the disability waivers
1.8 upon federal approval. The commissioner shall include family adult day services in the
1.9 common services menu that is currently under development.

1.10 Sec. 4. Minnesota Statutes 2010, section 256B.49, subdivision 16, is amended to read:

1.11 Subd. 16. **Services and supports.** (a) Services and supports included in the home
1.12 and community-based waivers for persons with disabilities shall meet the requirements set
1.13 out in United States Code, title 42, section 1396n. The services and supports, which are
1.14 offered as alternatives to institutional care, shall promote consumer choice, community
1.15 inclusion, self-sufficiency, and self-determination.

1.16 (b) Beginning January 1, 2003, the commissioner shall simplify and improve access
1.17 to home and community-based waived services, to the extent possible, through the
1.18 establishment of a common service menu that is available to eligible recipients regardless
1.19 of age, disability type, or waiver program.

1.20 (c) Consumer directed community support services shall be offered as an option to
1.21 all persons eligible for services under subdivision 11, by January 1, 2002.

1.22 (d) Services and supports shall be arranged and provided consistent with
1.23 individualized written plans of care for eligible waiver recipients.

1.24 (e) A transitional supports allowance shall be available to all persons under a home
1.25 and community-based waiver who are moving from a licensed setting to a community
1.26 setting. "Transitional supports allowance" means a onetime payment of up to \$3,000, to

2.1 cover the costs, not covered by other sources, associated with moving from a licensed
2.2 setting to a community setting. Covered costs include:

2.3 (1) lease or rent deposits;

2.4 (2) security deposits;

2.5 (3) utilities setup costs, including telephone;

2.6 (4) essential furnishings and supplies; and

2.7 (5) personal supports and transports needed to locate and transition to community
2.8 settings.

2.9 (f) The state of Minnesota and county agencies that administer home and
2.10 community-based waived services for persons with disabilities, shall not be liable
2.11 for damages, injuries, or liabilities sustained through the purchase of supports by the
2.12 individual, the individual's family, legal representative, or the authorized representative
2.13 with funds received through the consumer-directed community support service under
2.14 this section. Liabilities include but are not limited to: workers' compensation liability,
2.15 the Federal Insurance Contributions Act (FICA), or the Federal Unemployment Tax Act
2.16 (FUTA).

2.17 (g) The commissioner shall seek federal waiver approval for Medicaid
2.18 reimbursement of family adult day services under all disability waivers. Family adult
2.19 day services will be available under the disability waivers upon federal approval. The
2.20 commissioner shall include family adult day services in the common services menu that
2.21 is currently under development."

2.22 Renummer the sections in sequence and correct the internal references

2.23 Amend the title accordingly