



May 10, 2022

To: Health and Human Services Conference Committee Members

Re: Senate File 4410-3 / House File UES4410-2

Members of the Health and Human Services Conference Committee:

On behalf of The Arc Minnesota, thank you for your commitment to issues that impact Minnesotans with disabilities statewide. We are grateful for the opportunity to provide input on the Senate and House Health and Human Services omnibus bills as you work on a conference committee report. Below are provisions of support, interest, and concern that we would like to bring your attention to.

**Provisions of support in both House and Senate omnibuses:**

- **Service Termination Appeals for in-home services** (Senate Article 8, Sections 14 (paragraph (b)), 33; House Article 9, Sections 2 (paragraph (b)), 4). Changes to permit people accessing services in their own homes to appeal service terminations will correct an imbalance in appeal rights for people accessing in-home supports.
- **Expanding shared services** (Senate Article 1, Sections 21-22, 57-58; Article 2, Section 15; House Article 9, Sections 16-17, 23, 27, 33, and 34). This provision will help alleviate the staffing crisis for people who live in their own homes and would like to share services and service providers.
- **The provision permitting PCAs to drive** (Senate Article 1, 6, 7, 9-10; House Article 9, sections 9-12). We appreciated you passing the provision for CFSS last session, but given the delay in implementation, we are glad you made this applicable to the current PCA program.
- **Raising the 40-hour cap on PCA and CFSS service provision for parent caregivers** (Senate Article 1, Sections 17, 36, 38; House Article 9, Sections 15, 18, 19). This honors the significant amount of support that family caregivers provide, while also helping address the staffing crisis.
- **Increases in the PCA/CFSS Rate Framework implementation factor** (Senate Article 1, Section 39; House Article 9, Section 21). This will help alleviate the workforce crisis by ensuring people who live in their own homes have individualized, stable, and consistent support from PCAs.
- **The rate increase for Employment Exploration services** (Senate Article 1, Section 44; House Article 9, Section 26). We must continue to invest in service options that support people with disabilities in finding competitive integrated employment.
- **The provision to improve Life Sharing services** (Senate Article 1, Section 59; House Article 9, Section 31). This supports a continuum of community-based housing options for people with disabilities to choose from.
- **Expanding the Temporary Staffing Pool to include home and community-based settings** (Senate Article 16, Section 12; House Article 9, Section 28). This is one tool for solving the workforce crisis. We encourage you to ensure that individuals who live in their own homes and/or direct their own services have equitable access to this temporary staffing pool.

**Provisions of support in the Senate omnibus:**

- **Reform to the MA-EPD premium schedule** (Article 3, Section 3). The premium schedule for the Medical Assistance for Employed People with Disabilities (MA-EPD) is regressive and needs to be updated so that we can address this barrier to employment for people with disabilities.
- **CDCS budget exceptions** (Article 1, Sections 15, 16). By permitting people to move into their own homes with CDCS budget exceptions, we can help alleviate the group home closure crisis

brought on by the workforce shortage. This change supports the policy direction of the state to support individuals with disabilities to live in their own homes.

- **PCA/CFSS and CDCS enhanced rate increases** (Article 1, Sections 8, 52). These services are vital to individuals who live in their own homes or with their families. This investment supports the policy direction of the state in ensuring people with disabilities, who may otherwise have no choice but to move into a hospital-like setting, have individualized supports that help them live in communities that welcome them.
- **Rate increase for homemaker services** (Article 1, Section 14). Homemakers provide support with daily tasks and chores – critical supports that help ensure individuals with disabilities have assistance living in their own homes and prevent them from being forced to move into more restrictive settings.

#### **Provisions of support in the House omnibus:**

- **The Task Force on Disability Services Accessibility and Pilot Projects** (Article 2, Section 32). Stakeholder involvement is essential for improvement and redesign of a human service system that is flexible and responsive to individuals' support needs and expands their choice and control, while using resources effectively.
- **Changes to the countable income for people accessing Housing Support Services** (Article 18, Section 4). The current \$111 Personal Needs Allowance is insufficient in meeting basic living needs, prevents people from attaining housing and financial stability, and forces people into chronic poverty. This change allows them to keep more of their income so they do not have to make the difficult choice between paying rent and other basic living needs.
- **Supportive Decision Making grants** (Article 24, Section 2, subd. 20b). These grants will assist older adults and people with disabilities to access less restrictive alternatives to guardianship whenever possible.
- **Support Coordination Training for case managers** (Article 24, Section 2, subd. 20c). This will give case managers more tools to work with people they support in developing plans to continue living in their own homes, in spite of instability in the workforce.
- **Grants to address health disparities impacting Minnesotans with disabilities** (Article 1, Section 44). These grants will make a positive impact on people with disabilities who disproportionately face health disparities which are compounded for people with intersecting identities.
- **The increase to the Medical Assistance income standard to 133% of the federal poverty guidelines** (Article 3, Section 17). This would greatly benefit people with disabilities. People accessing medical assistance to meet their service and support needs should not have to live in poverty.
- **Changes to broaden dental coverage for people accessing Medical Assistance** (Article 3, Section 19). Dental care coverage has been a perpetual problem for people with disabilities and others who access medical assistance. Broadening coverage would improve health outcomes for those accessing these services.
- **Dental Home Pilot Project** (Article 3, Section 49). This pilot project would help address the perpetual accessibility problem for dental care for people with disabilities.

#### **Provisions of interest:**

- **Continuous eligibility for children accessing Medical Assistance** (House-only: Article 3, Section 18). Consistent, uninterrupted health care and services are essential for children with disabilities.

- **Rare Disease Advisory Council** (Senate and House: Senate Article 3, Sections 1, 13, 15; House Article 22, Sections 2 and 20). The Arc Minnesota supports this proposal to move the Council to the Minnesota Council on Disability.
- **Non-discrimination in organ transplants** (House-only: Article 22, Section 18). This expands on the legislation passed last session to include non-discrimination based on race or ethnicity.

**Provisions of concern:**

- **Increase in capacity for group home beds and ICFs** (Senate Article 8, Section 11; Senate Article 8, Sections 10, 12). We are concerned that these proposals contradict the policy direction of the state. Increasing capacity moves us backwards to more congregated, less-inclusive settings, which will have a detrimental negative impact on the informed choice of Minnesotans with disabilities. The Informed Choice language that was passed last session is more critical now than ever. Our response to the workforce shortage must not be creating more settings that are less inclusive. Rather than increasing the size of current service settings, we must focus on truly individualized, inclusive housing options that allow for flexibility on the entire continuum of disability services.
- **Changes to the purpose of the Subminimum Wage Taskforce** (Senate Article 1, Section 43). We have expressed our concerns with this provision on various occasions. The state of Minnesota currently has multiple interagency groups focused on increasing employment outcomes and implementation of the Informed Choice in Employment policy passed in 2021, making the proposed changes to the Taskforce duplicative. Our current Taskforce is preparing our state for the eventual phase-out of subminimum wage, and changes to the purpose of the Taskforce would prevent us from being prepared for this inevitable outcome.

The Arc Minnesota is grateful for the many provisions of importance to our stakeholders and appreciate the opportunity to provide input. We will continue to work in collaboration with legislative leaders and champions such as yourselves to ensure all Minnesotans with disabilities have the opportunity to build belonging in their communities and access inclusive, individualized supports. We are here as a resource to you as you work through these last days of session.

Thank you again for your leadership on behalf of Minnesotans with disabilities statewide.

Andrea Zuber, Chief Executive Officer

Alicia Munson, Chief Program Officer

Julia Burkstaller, Public Policy Director