

**Bill Comparison Summary of
Senate File 4410 (second unofficial engrossment) / Senate File 4410
(third engrossment)**

**House Article 10: Behavioral Health
Senate Article 4: Behavioral Health**

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Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
		Senate only	Section 1 (13.46, subdivision 7) changes when mental health data must be provided to law enforcement from when a client is involved in an emergency interaction to when the client is involved in a mental health crisis that the law enforcement agency has responded to.
1	Benefits. Amends § 62N.25, subd. 5. Updates cross-reference for comprehensive assessments. Makes this section effective July 1, 2022.	Identical	Section 2 (62N.25, subdivision 5) implements direct access and makes technical changes (CS-43).
2	Chemical dependency. Amends § 62Q.1055. Updates cross-reference for comprehensive assessments, makes technical change. Makes this section effective July 1, 2022.	Identical	Section 3 (62Q.1055) implements direct access and makes technical changes (CS-43).
3	Alcoholism, mental health, and chemical dependency services. Amends § 62Q.47. Updates cross-reference for comprehensive assessments, makes technical changes. Makes this section effective July 1, 2022.	Identical	Section 4 (62Q.47) implements direct access and makes technical changes (CS-43).
		Senate only	Section 5 (144.294, subdivision 2) changes when a provider must disclose mental health records to law enforcement from when a client is involved in an emergency interaction to when the client is involved in a mental health crisis that the law enforcement agency has responded to.

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
4	<p>Assessment report. Amends § 169A.70, subd. 3. Updates cross-reference for comprehensive assessments. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 6 (169A.70, subdivision 3) implements direct access and makes technical changes (CS-43).</p>
5	<p>Assessor standards; rules; assessment time limits. Amends § 169A.70, subd. 4. Updates cross-reference for staff qualifications for comprehensive assessments. Removes language related to independent assessors. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 7 (169A.70, subdivision 4) implements direct access and makes technical changes (CS-43).</p>
6	<p>Children’s mental health community of practice. Proposes coding for § 245.4866. Requires the commissioner of human services to establish a children’s mental health community of practice, in consultation with subject matter experts, to improve child and adolescent mental illness treatment outcomes and reduce disparities. Requires the community of practice to use evidence-based and best practices through peer-to-peer and person-to-provider sharing. Lists participants that must be included in the community of practice; outlines meeting requirements; lists duties of the community of practice.</p>	House only	
7	<p>Assessment requirements. Amends § 245.4882 by adding subd. 2a. Adds requirement for children’s residential treatment providers to complete a diagnostic assessment within 10 days of a child’s admission; provides an exception to the requirement. Specifies screenings a provider must complete within 10 days.</p>	House only	

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
8	<p>Crisis admissions and stabilization. Amends § 245.4882 by adding subd. 6. Provides that a mental health professional, physician assessing a child in an emergency department, or a member of a mobile crisis team may refer a child for residential treatment services for crisis stabilization. Requires a provider making a referral to conduct an assessment of the child.</p>	House only	
9	<p>Admission criteria. Amends § 245.4885, subd. 1. Specifies that for admission to residential treatment facilities, an emergency includes a situation in which a child is referred to residential treatment for crisis stabilization services. Exempts a child admitted in an emergency from undergoing a separate assessment under this section.</p>	House only	
10	<p>Establishment and authority. Amends § 245.4889, subd. 1. Modifies respite care services grant items to include children in out-of-home placement who are at risk of a placement change or higher level of care, and cites to subdivision with allowable activities. Allows the commissioner of human services to make grants to school districts and charter schools to provide services related to children’s mental health. Adds to list of children’s mental health grant items, intensive developmentally appropriate and culturally informed interventions related to youth mood disorders and a youth mood disorder public awareness campaign.</p>	<p>Different/similar. House adds school districts and charter schools to list of children’s mental health grant recipients; Senate does not. Both modify respite care services to include children in out-of-home placement, but Senate limits this to children in family foster care placements. Other technical differences. House adds intensive developmentally appropriate and culturally informed interventions related to youth mood disorders and a youth mood disorder public awareness campaign to the list of children’s mental health grant items; Senate does not.</p>	<p>Section 8 (245.4889, subdivision 1) updates the respite care services that are eligible for children’s mental health grants.</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
		Senate includes a July 1, 2022, effective date; House does not.	
11	<p>Covered respite care services. Amends § 245.4889 by adding subd. 4. Lists respite care services, activities, and expenses that are covered under children’s mental health grants for respite care services. Makes this section effective July 1, 2022.</p>	<p>Similar. Technical differences in first paragraph; staff recommends Senate.</p> <p>House includes “activities” in clause (1); Senate does not.</p> <p>House specifies "whole" family in clause (2); Senate does not. Other technical differences in clause (2); staff recommends House.</p> <p>Technical difference in clause (3); staff recommends House.</p>	<p>Section 9 [245.4889, subdivision 4] states the allowable activities and expenses for respite care services under the children’s mental health grants statute.</p>
12	<p>Cultural and ethnic minority infrastructure grant program. Proposes coding for § 245.4903. Requires the commissioner of human services to establish a cultural and ethnic minority infrastructure grant program, to ensure that behavioral health supports and services are culturally specific and culturally responsive.</p> <p>Outlines grant applicant eligibility and allowable grant activities; requires the commissioner to assist grantees with meeting third-party credentialing requirements; requires grantees to obtain all available third-party reimbursement sources; specifies that grantees must serve individuals from cultural and ethnic minority communities regardless of health coverage or ability to pay for services.</p> <p>Requires grantees to provide regular data to the commissioner, to evaluate grant program effectiveness; lists evaluation criteria.</p>	House only	

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
13	<p>Emerging mood disorder grant program. Proposes coding for § 245.4904. Codifies the emerging mood disorder grant program, to fund evidence-informed interventions for youth and young adults at risk of developing or experiencing an emerging mood disorder and a public awareness campaign on youth and young adult mood disorders; lists required grant program activities; specifies eligibility requirements and program outcome evaluation criteria.</p>	House only	
14	<p>First episode of psychosis grant program. Proposes coding for § 245.4905. Codifies the first episode of psychosis grant program, to fund evidence-based interventions for youth at risk of developing or experiencing a first episode of psychosis and a public awareness campaign on the signs and symptoms of psychosis; lists required grant program activities; specifies eligibility requirements and program outcome evaluation criteria; requires the commissioner to comply with all requirements necessary to receive federal aid or grants.</p>	House only	
15	<p>Total funds available; allocation. Amends § 245.713, subd. 2. Eliminates requests for proposals requirements for American Indian Tribes receiving federal block grant allocations. Makes this section effective July 1, 2022.</p>	House only	
16	<p>Projects for assistance in transition from homelessness program. Proposes coding for § 245.991. Establishes the projects for assistance in transition from homelessness program (PATH) in statute, to prevent or end homelessness for people with serious mental illness and substance use disorders. Lists project</p>	House only	

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	activities, eligibility requirements, and outcome evaluation criteria. Requires the commissioner to comply with all requirements necessary to receive federal aid or grants.		
17	<p>Housing with support for behavioral health. Proposes coding for § 245.992. Establishes the housing with support for behavioral health program in statute, to prevent or end homelessness for people with serious mental illness and substance use disorders and increase the availability of housing with support. Lists program activities, eligibility requirements, and outcome evaluation criteria.</p>	House only	
18	<p>Change of ownership process. Amends § 245A.043, subd. 3. Updates cross-reference.</p>	House only	
19	<p>Children’s residential facility crisis stabilization services. Proposes coding for § 245A.26. Establishes licensing requirements for children’s residential facilities providing crisis stabilization services.</p> <p>Subd. 1. Definitions. Provides definitions for “clinical trainee,” “license holder,” and “mental health professional.”</p> <p>Subd. 2. Scope and applicability. Establishes additional licensing requirements; specifies license holders that may be licensed to provide children’s residential crisis services; exempts license holders from completing certain assessments and plans for a child who receives services for 35 days or fewer.</p>	House only	

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	<p>Subd. 3. Eligibility for services. Specifies eligibility requirements for individuals under 19 years of age to receive children’s residential crisis stabilization services.</p> <p>Subd. 4. Required services; providers. Lists the crisis stabilization services a license holder must offer and have the capacity to directly provide in order to be licensed under this section. Requires services to be provided by a qualified staff person.</p> <p>Subd. 5. Assessment and treatment planning. Requires an assessment and documentation of a child’s immediate needs within 24 hours of a child’s admission for residential crisis stabilization. Requires completion of a crisis treatment plan within 24 hours of a child’s admission; specifies plan completion and review requirements.</p> <p>Subd. 6. Staffing requirements. Requires that facility staff members have access to a mental health professional or clinical trainee within 30 minutes, either in person or by phone. Requires the license holder to maintain a current, readily available schedule of available mental health professionals or clinical trainees.</p>		
20	<p>Application. Amends § 245F.03. Removes reference to rules governing lead agency placement authority. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 10 (245F.03) implements direct access and makes technical changes (CS-43).</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
21	<p>Assessment summary. Amends § 245G.05, subd. 2. Adds comprehensive assessment level of care requirements and removes and replaces a reference to the rule that identified dimensions of care placement criteria for SUD treatment. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 11 (245G.05, subdivision 2) implements direct access and makes technical changes (CS-43).</p>
		Senate only	<p>Section 12 (245G.07, subdivision 1) provides that client education in residential substance use treatment services include education on naloxone and the process for administering naloxone.</p>
		Senate only	<p>Section 13 (245G.08, subdivision 3) requires a chemical dependency license holder to maintain a proper supply of naloxone on site in a conspicuous location.</p>
		Senate only	<p>Section 14 [245G.21 subdivision 9] prohibits a chemical dependency license holder from denying medications and pharmacotherapies to clients if they are prescribed by a licensed physician.</p>
22	<p>Definitions. Amends § 245G.22, subd. 2. Removes definition of “placing authority.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 15 (245G.22, subdivision 2) implements direct access and makes technical changes (CS-43).</p>
23	<p>Nonmedication treatment services; documentation. Amends § 245G.22, subd. 15. Modifies licensing standards and required documentation of counseling services offered (and</p>	House only	

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	provided or not provided), for opioid treatment programs, related to changes in the rate structure.		
24	<p>Additional requirements for locked program facility. Amends § 245I.23 by adding subd. 19a. Specifies additional requirements for IRTS facilities that prohibit clients from leaving by locking doors or by other permissible methods. Includes requirements related to building and fire codes, Department of Health licensing, policies and procedures describing court orders, documentation of court orders, and client information.</p>	House only	
25	<p>Rules for substance use disorder care. Amends § 254A.03, subd. 3. Removes requirement for the commissioner to establish rule criteria for determining the appropriate level of care for SUD treatment; removes outdated language; removes references to placing authority rules. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 16 (254A.03, subdivision 3) implements direct access and makes technical changes (CS-43).</p>
		Senate only	<p>Section 17 [254A.087] defines and provides requirements for sober houses.</p> <p>Subdivision 1 provides the definition of a sober house.</p> <p>Subdivision 2 requires persons residing in sober houses to be provided with naloxone training and education and provided counseling and related services.</p> <p>Subdivision 3 requires persons residing in sober houses to be provided with 48 hours’ written notice prior to discharge or termination of services, provided alternative living arrangements, provided with</p>

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			<p>information on who to contact for an appeal, informed of their right to request certain individuals receive immediate notice of their discharge, and referred to emergency or detoxification services.</p> <p>Subdivision 4 only allows referrals for persons with alcohol or drug dependency to licensed persons or facilities.</p> <p>Subdivision 5 requires a sober house to return a resident’s property upon service termination or retain the resident’s property for a certain amount of time if the resident did not claim the property upon service termination.</p> <p>Subdivision 6 requires a sober house to have written procedures for drug monitoring, for counting and documenting a resident’s controlled medications, have a statement that no medication for one resident may be provided to another resident, and file and store controlled medication counts for two years.</p>
26	<p>Persons arrested outside of county of residence. Amends § 254A.19, subd. 1. Removes reference to placing authority rules; removes requirement for a person’s county of residence to complete an SUD assessment, instead requiring the county where the person is detained to facilitate access to a qualified assessor. Makes this section effective July 1, 2022.</p>	<p>Identical, except a technical difference in subdivision title. Staff recommends Senate.</p>	<p>Section 18 (254A.19, subdivision 1) implements direct access and makes technical changes (CS-43).</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
27	<p>Comprehensive assessments. Amends § 254A.19, subd. 3. Removes references and language related to placing authority and rule 25 assessments for SUD treatment; requires an eligible vendor of a comprehensive assessment to provide information on medical assistance and the behavioral health fund to individuals seeking assessments. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 19 (254A.19, subdivision 3) implements direct access and makes technical changes (CS-43).</p>
28	<p>Civil commitments. Amends § 254A.19, subd. 4. Removes references related to placing authority and rule 25 assessments for SUD treatment; replaces with comprehensive assessment for determining the level of care. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 20 (254A.19, subdivision 4) implements direct access and makes technical changes (CS-43).</p>
29	<p>Assessments for detoxification programs. Amends § 254A.19 by adding subd. 6. Specifies that for detoxification programs, “chemical use assessment” means a comprehensive assessment and assessment summary; specifies who qualifies as an assessor. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 21 [254A.19, subdivision 6] implements direct access (CS-43).</p>
30	<p>Assessments for children’s residential facilities. Amends § 254A.19 by adding subd. 7. Specifies that for children’s residential programs, “chemical use assessment” means a comprehensive assessment and assessment summary; specifies who qualifies as an assessor. Makes this section effective July 1, 2022.</p>	<p>Similar. House has rule citation going through 2960.0490 and Senate has the rule citation going through 2960.0500. Staff recommends Senate.</p>	<p>Section 22 [254A.19, subdivision 7] implements direct access (CS-43).</p>

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31	<p>Behavioral health fund. Amends § 254B.01 by adding subd. 2a. Defines “behavioral health fund.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 23 [254B.01, subdivision 2a] defines “behavioral health fund” for the implementation of direct access (CS-43).</p>
32	<p>Client. Amends § 254B.01 by adding subd. 2b. Defines “client.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 24 [254B.01, subdivision 2b] defines “client” for the implementation of direct access (CS-43).</p>
33	<p>Co-payment. Amends § 254B.01 by adding subd. 2c. Defines “co-payment.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 25 [254B.01, subdivision 2c] defines “co-payment” for the implementation of direct access (CS-43).</p>
34	<p>Department. Amends § 254B.01 by adding subd. 4c. Defines “department.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 26 [254B.01, subdivision 4c] defines “department” for the implementation of direct access (CS-43).</p>
35	<p>Drug and alcohol abuse normative evaluation system or DAANES. Amends § 254B.01 by adding subd. 4d. Defines “drug and alcohol abuse normative evaluation system” or “DAANES.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 27 [254B.01, subdivision 4d] defines “drug and alcohol abuse normative evaluation system or DANNES” for the implementation of direct access (CS-43).</p>
36	<p>Local agency. Amends § 254B.01, subd. 5. Modifies definition of “local agency” by removing a reference to placement authority and replacing it with the agency’s responsibility for making behavioral health fund financial eligibility determinations. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 28 (254B.01, subdivision 5) modifies definition of “local agency” for the implementation of direct access (CS-43).</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
37	<p>Minor child. Amends § 254B.01 by adding subd. 6a. Defines “minor child.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 29 [254B.01, subdivision 6a] defines “minor child” for the implementation of direct access (CS-43).</p>
38	<p>Policy holder. Amends § 254B.01 by adding subd. 6b. Defines “policy holder.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 30 [254B.01, subdivision 6b] defines “policy holder” for the implementation of direct access (CS-43).</p>
39	<p>Responsible relative. Amends § 254B.01 by adding subd. 9. Defines “responsible relative.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 31 [254B.01, subdivision 9] defines “responsible relative” for the implementation of direct access (CS-43).</p>
40	<p>Third-party payment source. Amends § 254B.01 by adding subd. 10. Defines “third-party payment source.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 32 [254B.01, subdivision 10] defines “third-party payment source” for the implementation of direct access (CS-43).</p>
41	<p>Vendor. Amends § 254B.01 by adding subd. 11. Defines “vendor.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 33 [254B.01, subdivision 11] defines “vendor” for the implementation of direct access (CS-43).</p>
42	<p>American Society of Addiction Medicine criteria or ASAM criteria. Amends § 254B.01 by adding subd. 12. Defines “American Society of Addiction Medicine criteria” or “ASAM criteria.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 34 [254B.01, subdivision 12] defines “American Society of Addiction Medicine criteria or ASAM” for the implementation of direct access (CS-43).</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
43	<p>Skilled treatment services. Amends § 254B.01 by adding subd. 13. Defines “skilled treatment services.” Makes this section effective July 1, 2022.</p>	Identical	<p>Section 35 [254B.01, subdivision 13] defines “skilled treatment services” for the implementation of direct access (CS-43).</p>
44	<p>Local agency duties. Amends § 254B.03, subd. 1. Removes local agency responsibility for providing services that meet placement criteria; clarifies local agency responsibility for determining financial eligibility for SUD services; removes references to placement authority and rule 25 assessments. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 36 (254B.03, subdivision 1) implements direct access (CS-43).</p>
45	<p>Behavioral health fund payment. Amends § 254B.03, subd. 2. Removes language giving a county the authority to provide chemical dependency services using its own resources. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 37 (254B.03, subdivision 2) implements direct access (CS-43).</p>
46	<p>Division of costs. Amends § 254B.03, subd. 4. Updates cross-reference.</p>	House only	
47	<p>Rules; appeal. Amends § 254B.03, subd. 5. Removes language related to appeals of county placement determinations. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 38 (254B.03, subdivision 5) implements direct access and makes technical changes (CS-43).</p>
48	<p>Client eligibility. Amends § 254B.04, subd. 1. Lists eligibility criteria for a client’s SUD treatment to be paid with funds from the behavioral health fund; lists circumstances under which a client is not eligible to</p>	<p>Similar. House references “general assistance medical care” on House line 509.4 and the Senate does not. Staff recommends Senate.</p>	<p>Section 39 (254B.04, subdivision 1) implements direct access (CS-43).</p>

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Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	have SUD treatment services paid for by funds from the behavioral health fund. Makes this section effective July 1, 2022.		
49	<p>Eligibility for room and board services for persons in outpatient substance use disorder treatment.</p> <p>Amends § 254B.04, subd. 2a. Removes references to placement requirements and rule 25 assessments for room and board services in outpatient SUD treatment; clarifies that a person must score at level 4 on assessment dimensions, including readiness to change. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 40 (254B.04, subdivision 2a) implements direct access (CS-43).</p>
50	<p>Assessment criteria and risk descriptions.</p> <p>Amends § 254B.04 by adding subd. 4. Codifies required SUD assessment criteria dimensions and risk descriptions. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 41 [254B.04, subdivision 4] implements direct access (CS-43).</p>
51	<p>Scope and applicability.</p> <p>Amends § 254B.04 by adding subd. 5. Specifies that section 254B.04 governs the administration of the behavioral health fund, establishes client eligibility criteria, and determines a client’s obligation to pay for SUD treatment services. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 42 [254B.04, subdivision 5] implements direct access (CS-43).</p>
52	<p>Local agency responsibility to provide services.</p> <p>Amends § 254B.04 by adding subd. 6. Allows a local agency to employ individuals for administrative activities and to facilitate access to SUD treatment services. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 43 [254B.04, subdivision 6] implements direct access (CS-43).</p>

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53	<p>Local agency to determine client financial eligibility. Amends § 254B.04 by adding subd. 7. Requires the local agency to determine a client’s financial eligibility for the behavioral health fund; requires the agency to pay for eligible clients; specifies how the agency must determine client eligibility; specifies third-party payment requirements. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 44 [254B.04, subdivision 7] implements direct access (CS-43).</p>
54	<p>Client fees. Amends § 254B.04 by adding subd. 8. Specifies that a client whose income is within current household size and income guidelines will not pay a fee. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 45 [254B.04, subdivision 8] implements direct access (CS-43).</p>
55	<p>Vendor must participate in DAANES. Amends § 254B.04 by adding subd. 9. Requires a vendor to participate in DAANES or submit the information required in DAANES to the commissioner, to be eligible for behavioral health fund payment. Makes this section effective July 1, 2022.</p>	Identical	<p>Section 46 [254B.04, subdivision 9] implements direct access (CS-43).</p>
56	<p>Room and board provider requirements. Amends § 254B.05, subd. 1a. Adds programs providing children’s residential crisis stabilization and admissions to eligible vendors of room and board.</p>	House only	
57	<p>Regional treatment centers. Amends § 254B.05, subd. 4. Updates cross-reference.</p>	Identical	<p>Section 47 (254B.05, subdivision 4) implements direct access (CS-43).</p>

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58	<p>Rate requirements. Amends § 254B.05, subd. 5. Updates cross-reference to licensed outpatient treatment services; adds ASAM 1.0 outpatient and ASAM 2.1 Intensive Outpatient definitions as SUD treatment services eligible for payment under chapter 254B; updates terminology from “medication-assisted therapy services” to “substance use disorder treatment with medication for opioid use disorders.” Makes this section effective July 1, 2022, or upon federal approval, whichever is later.</p>	<p>Similar/Different.</p> <p>Senate changes eligible service from “care coordination” to “treatment coordination;” House does not.</p> <p>House modifies terminology from “medication-assisted therapy services” to “substance use disorder treatment with medication for opioid use disorders;” Senate does not.</p> <p>Senate includes language specifying what constitutes high intensity residential treatment services; House does not.</p> <p>Senate modifies staffing requirements for programs that offer services to individuals with co-occurring disorders; House does not.</p> <p>Senate adds guest speaker requirements; House does not.</p> <p>Technical differences; staff recommends House lines 517.30, 518.1, 518.5. Staff recommends Senate lines 134.10, 134.25, 136.5.</p>	<p>Section 48 (254B.05, subdivision 5) adds American Society of Addiction Medicine standards to outpatient treatment services that are eligible substance use disorder treatment services, removes medication-assisted therapy as an eligible service, allows programs meeting certain levels of care to be considered high intensity, updates staffing requirements for a program that qualifies for higher rates, and adds requirement that programs using a guest speaker must maintain documentation.</p>
59	<p>Establishment of the advisory council. Amends § 256.042, subd. 1. Adds requirement for the Opiate Epidemic Response Advisory Council (OERAC) to review reports, data, and performance measures submitted by municipalities that receive direct settlement agreement payments; adds requirement for OERAC to consult with relevant stakeholders to review and provide recommendations for revisions to required reporting.</p>	<p>House only. Included in S.F. 4025/H.F. 4265, passed separately in Senate and House.</p>	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	Adds municipality projects funded by settlement monies to be considered for promising practice review; defines municipality for purposes of the paragraph.		
60	<p>Membership. Amends § 256.042, subd. 2. Increases OERAC membership to 30, from 19; increases number of representatives from Minnesota Tribal Nations and the urban American Indian population. Adds requirement that at least one-half of the OERAC appointees have lived experience with opiate addiction.</p>	House only	
61	<p>Grants. Amends § 256.042, subd. 4. Adds requirement that at least 40 percent of OERAC grants be awarded to projects that include a focus on addressing the opiate crisis in Black and Indigenous communities and communities of color.</p>	<p>House only</p> <p>Note: Senate Article 16, Section 17 amends the same section but is not substantively similar.</p>	
62	<p>Reports. Amends § 256.042, subd. 5. Adds requirement for OERAC report to include municipality projects funded by settlement monies; requires municipalities receiving direct payments for settlement agreements to annually report how the funds were used on opiate remediation; specifies report requirements.</p>	<p>House only. Included in S.F. 4025/H.F. 4265, passed separately in Senate and House.</p> <p>Note: Senate Article 16, Section 18 amends the same section but is not substantively similar.</p>	
63	<p>Certified community behavioral health clinic services. Amends § 256B.0625, subd. 5m. Specifies that MA covers services provided by not-for-profit CCBHCs; modifies reimbursement from a per-visit model using the prospective</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	payment rate to a per-day model using a provider-specific daily bundled rate and makes corresponding changes.		
64	<p>Payments. Amends § 256B.0757, subd. 5. Requires the commissioner of human services to establish a single statewide reimbursement rate for health home services; requires the commissioner to include input from stakeholders when setting the rate, and specifies that the rate will be adjusted annually by the Medicare Economic Index. Makes this section effective July 1, 2022.</p>	Different. House requires changes to the reimbursement rate for health homes and Senate makes a technical change adding “behavioral” into the statute.	Section 49 (256B.0757, subdivision 5) makes a technical change to payments made to behavioral health homes.
65	<p>Provider payment rates. Amends § 256B.0759, subd. 4. Updates cross-references.</p>	House only	
66	<p>Sleeping hours. Amends § 256B.0941 by adding subd. 2a. Specifies that psychiatric residential treatment facilities must provide at least one staff person for every six residents during sleeping hours. Requires a provider to adjust staffing levels based on the residents’ clinical needs.</p>	House only	
67	<p>Per diem rate. Amends § 256B.0941, subd. 3. Adds paragraph (g), requiring the commissioner to consult with providers and stakeholders to develop an assessment tool that identifies when a child would require specialized care planning.</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
68	<p>Start-up grants. Amends § 256B.0941 by adding subd. 5. Establishes start-up grants for prospective psychiatric residential treatment facility sites; specifies allowable grant uses.</p>	House only	
69	<p>Required covered service components. Amends § 256B.0946, subd. 1. Expands and renames intensive treatment in foster care services to allow children residing with legal guardians to access children’s intensive behavioral health services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
70	<p>Definitions. Amends § 256B.0946, subd. 1a. Adds definitions of “at risk of out-of-home placement.” Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
71	<p>Determination of client eligibility. Amends § 256B.0946, subd. 2. Makes changes related to the expansion of children’s intensive behavioral health services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
72	<p>Eligible mental health services providers. Amends § 256B.0946, subd. 3. Makes changes related to the expansion of children’s intensive behavioral health services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
73	<p>Service delivery payment requirements. Amends § 256B.0946, subd. 4. Makes changes related to the expansion of children’s intensive behavioral health services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
74	<p>Excluded services. Amends § 256B.0946, subd. 6. Makes changes related to the expansion of children’s intensive behavioral health treatment services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
75	<p>Medical assistance payment and rate setting. Amends § 256B.0946, subd. 7. Makes changes related to the expansion of children’s intensive behavioral health treatment services. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
76	<p>Definitions. Amends § 256B.0947, subd. 2. Modifies age range for intensive nonresidential rehabilitative mental health services, for federal compliance.</p>	House only	
77	<p>Client eligibility. Amends § 256B.0947, subd. 3. Modifies age range for intensive nonresidential rehabilitative mental health services, for federal compliance.</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
78	<p>Standards for intensive nonresidential rehabilitative providers. Amends § 256B.0947, subd. 5. Modifies age range for intensive nonresidential rehabilitative mental health services, for federal compliance.</p>	House only	
79	<p>EIDBI provider qualifications. Amends § 256B.0949, subd. 15. Expands early intensive developmental and behavioral intervention level II and III provider qualifications to allow individuals certified by a Tribal Nation to meet certain qualification requirements. Makes this section effective January 1, 2023, or upon federal approval, whichever is later.</p>	House only	
80	<p>Vendor payments for drug dependent persons. Amends § 256D.09, subd. 2a. Removes reference to rule 25 assessments and replaces with reference to section for qualified assessor for comprehensive assessments.</p>	Identical	Section 51 (256D.09, subdivision 2a) implements direct access and makes technical changes (CS-43).
81	<p>Alcohol and drug dependency. Amends § 256L.03, subd. 2. Updates statute for change to comprehensive assessment direct access and removes local agency placing authority requirements.</p>	Identical	Section 52 (256L.03, subdivision 2) implements direct access and makes technical changes (CS-43).
82	<p>Chemical dependency assessments. Amends § 256L.12, subd. 8. Removes managed care plan placement responsibility language and removes reference to rules related to placement criteria.</p>	Identical	Section 53 (256L.12, subdivision 8) implements direct access and makes technical changes (CS-43).

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
83	<p>Investigation. Amends § 260B.157, subd. 1. Updates juvenile assessment requirements to account for change to comprehensive assessments; removes references to rule 25 assessments in rules.</p>	Identical	<p>Section 54 (260B.157, subdivision 1) implements direct access and makes technical changes (CS-43).</p>
84	<p>Juvenile treatment screening team. Amends § 260B.157, subd. 3. Updates cross-reference.</p>	Identical	<p>Section 55 (260B.157, subdivision 3) implements direct access and makes technical changes (CS-43).</p>
85	<p>Juvenile treatment screening team. Amends § 260C.157, subd. 3. Updates cross-references.</p>	Identical	<p>Section 56 (260C.157, subdivision 3) implements direct access and makes technical changes (CS-43).</p>
86	<p>General duties. Amends § 260E.20, subd. 1. Updates language and cross-references related to direct access for comprehensive assessments.</p>	Identical	<p>Section 57 (260E.20, subdivision 1) implements direct access and makes technical changes (CS-43).</p>
		Senate only	<p>Section 58 (297E.02, subdivision 3) requires the commissioner of human services to transfer the entire amount deposited into the general fund for problem gambling to the state affiliate recognized by the National Council on Problem Gambling by certain dates.</p>
		Senate only	<p>Section 59 (297E.021, subdivision 3) makes a conforming change to align this section with the new language added under Section 58.</p>

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
87	<p>Establishment of team. Amends § 299A.299, subd. 1. Updates cross-reference.</p>	Identical	<p>Section 60 (299A.299, subdivision 1) implements direct access and makes technical changes (CS-43).</p>
		<p>Senate only</p> <p>Note: House article 13, section 38 amends this subdivision differently.</p>	<p>Section 61 (626.5571, subdivision 1) adds community corrections agencies and local law enforcement agencies to the multidisciplinary adult protection team.</p>
		Senate only	<p>Section 62 [626.8477] requires every state and local law enforcement agency that seeks or uses mental health data or records to have and enforce a written policy that governs its use.</p>
		Senate only	<p>Section 63 (OLMSTED CO. GRANT PROGRAM) establishes a grant to a recovery community organization in Olmsted County that provides services in an 11-county region.</p>
88	<p>Eligibility. Amends Laws 2021, First Special Session ch. 7, art. 17, § 1, subd. 2. Modifies eligibility for the transition to community initiative by removing the requirement that a person must be on the waiting list for Anoka Metro Regional Treatment Center; allows a person to be eligible if the person is in a community hospital.</p>	House only	
89	<p>Expand mobile crisis. Amends Laws 2021, First Special Session ch. 7, art. 17, § 11. Expands mobile crisis services grants to include children’s mobile crisis services; increases general fund base in fiscal years</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
	2024 and 2025; removes section expiration and related provisions.		
90	<p>Adult and children’s mobile transition units. Amends Laws 2021, First Special Session ch. 7, art. 17, § 12. Expands mobile transition units eligibility to adults transitioning between levels of care or care settings; makes clarifying changes.</p>	House only	
91	<p>Rate increase for mental health adult day treatment. Directs the commissioner to increase the reimbursement rate for adult day treatment by 50 percent over the rate in effect on June 30, 2022. Makes this section effective January 1, 2023, or 60 days following federal approval, whichever is later.</p>	<p>Similar. House has the reimbursement rates increasing over rates in effect as of June 30, 2022; Senate has the rates increasing over rates in effect as of December 31, 2022.</p> <p>Senate includes a citation to a rule and statute; House does not.</p> <p>Technical differences in effective date placement.</p> <p>Staff recommends House for effective date placement, Senate for citations included, and Senate for other technical differences on Senate lines 148.24 and 148.26 to 148.28.</p>	<p>Section 64 (ADULT DAY TREATMENT RATE INCREASE) increases the reimbursement rate for adult day treatment services by 50 percent.</p>
92	<p>Direction to the commissioner. Requires the commissioner to update the behavioral health fund room and board schedule to include programs providing children’s mental health crisis admissions and stabilization.</p>	House only	
		Senate only	<p>Section 65 (ROCHESTER RCO GRANT PROGRAM) establishes a grant to a nonprofit recovery community organization located in Rochester that provides pretreatment housing, post-treatment housing, and peer recovery support.</p>

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
		Senate only	Section 66 (WELLNESS IN THE WOODS GRANT PROGRAM) establishes a grant to Wellness in the Woods for daily peer support and sessions for individuals in substance use recovery.
93	<p>Direction to the commissioner; behavioral health fund allocation.</p> <p>Directs the commissioner to make recommendations on an updated allocation to local agencies from the behavioral health fund, in consultation with counties and Tribes. Requires the commissioner to submit recommendations to the legislature by January 1, 2024.</p>	<p>Similar; technical differences in title of section.</p> <p>Staff recommends Senate.</p>	<p>Section 67 (DIRECTION TO COMMISSIONER; BEHAVIORAL HEALTH FUND) directs the commissioner to make recommendations on an updated allocation to local agencies from the behavioral health fund and to submit those recommendations to the legislature by January 1, 2024 (CS-43).</p>
94	<p>Direction to the commissioner; medication-assisted therapy services payment methodology.</p> <p>Directs the commissioner to revise the payment methodology for medication-assisted therapy services in opioid treatment programs; specifies requirements for the revised payment methodology; requires the commissioner to seek all necessary waivers and authorizations to implement the revised payment methodology.</p>	House only	
95	<p>Revisor instruction.</p> <p>Instructs the revisor to change the terms “medication-assisted treatment” and “medication-assisted therapy” to “substance use disorder treatment with medications for opioid use disorder” throughout statutes and rules.</p> <p>Also instructs the revisor to change the term “intensive treatment in foster care” to “children’s intensive behavioral health services” throughout statutes and rules.</p>	House only	

Comparison Summary of S.F. 4410 – House (S.F. 4410, second unofficial engrossment) / Senate (4410, third engrossment)

Section	HOUSE Article 10: Behavioral Health		SENATE Article 4: Behavioral Health
96	<p>Repealer. Repeals statutes and rules related to county placement authority and rule 25 assessments.</p>	Identical	<p>Section 68 (REPEALER) repeals statutes and rules affected by the implementation of direct access (CS-43).</p>