

1.1 A bill for an act

1.2 relating to state government; providing for COVID-19 policy and certain other

1.3 policy changes; extending certain deadlines; covering certain COVID-19 health

1.4 expenses; providing temporary emergency authority; expanding usage of electronic

1.5 communication, applications, and signatures; modifying certain vehicle registration

1.6 provisions; modifying certain treatment provisions; correcting errors in health and

1.7 human services appropriations; making forecast adjustments; requiring reports;

1.8 amending Minnesota Statutes 2018, sections 168.013, by adding a subdivision;

1.9 245F.03; 245F.04, by adding a subdivision; 254B.03, subdivision 1; 299C.46,

1.10 subdivision 3; Minnesota Statutes 2019 Supplement, sections 13D.02, subdivision

1.11 1; 168.013, subdivision 1a; 254A.03, subdivision 3; 256B.0759, subdivisions 3,

1.12 4; Laws 2019, First Special Session chapter 9, article 14, section 2, subdivisions

1.13 2, 24, 30, 31, by adding a subdivision; Laws 2020, chapter 71, article 2, section

1.14 15, subdivision 3, by adding subdivisions; proposing coding for new law in

1.15 Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2019 Supplement,

1.16 section 254B.03, subdivision 4a; Minnesota Rules, parts 9530.6600, subparts 1,

1.17 3; 9530.6605, subparts 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 21a, 21b, 24a, 25, 25a,

1.18 26; 9530.6610, subparts 1, 2, 3, 5; 9530.6615; 9530.6620; 9530.6622; 9530.6655.

1.19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.20 **ARTICLE 1**

1.21 **COVID-19 POLICY**

1.22 Section 1. Minnesota Statutes 2019 Supplement, section 13D.02, subdivision 1, is amended

1.23 to read:

1.24 Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1,

1.25 2, 4, and 5, and this section may be conducted by interactive television so long as:

1.26 (1) all members of the body participating in the meeting, wherever their physical location,

1.27 can hear and see one another and can hear and see all discussion and testimony presented

1.28 at any location at which at least one member is present;

2.1 (2) members of the public present at the regular meeting location of the body can hear
 2.2 and see all discussion and testimony and all votes of members of the body;

2.3 (3) at least one member of the body is physically present at the regular meeting location;
 2.4 ~~and~~

2.5 (4) all votes are conducted by roll call so each member's vote on each issue can be
 2.6 identified and recorded; and

2.7 (5) each location at which a member of the body is present is open and accessible to the
 2.8 public.

2.9 ~~(b) A meeting satisfies the requirements of paragraph (a), although a member of the~~
 2.10 ~~public body participates from a location that is not open or accessible to the public if:~~

2.11 ~~(1) the member is serving in the military and is at a required drill, deployed, or on active~~
 2.12 ~~duty; and~~

2.13 ~~(2) the member has not participated more than three times in a calendar year from a~~
 2.14 ~~location that is not open or accessible to the public.~~

2.15 (b) Up to a total of three times per calendar year, a member of a public body may be
 2.16 exempted from paragraph (a), clause (5), and may participate from a location other than the
 2.17 regular meeting location if:

2.18 (1) the member is serving in the military and is at a required drill, deployed, or on active
 2.19 duty; or

2.20 (2) the member has been advised by a health care professional against being in a public
 2.21 place for personal or family medical reasons. This clause only applies when a state of
 2.22 emergency has been declared under section 12.31, and expires 60 days after the removal of
 2.23 the state of emergency.

2.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.25 **Sec. 2. [524.2-503] HARMLESS ERROR.**

2.26 (a) If a document or writing added upon a document was not executed in compliance
 2.27 with section 524.2-502, the document or writing is treated as if it had been executed in
 2.28 compliance with section 524.2-502 if the proponent of the document or writing establishes
 2.29 by clear and convincing evidence that the decedent intended the document or writing to
 2.30 constitute:

2.31 (1) the decedent's will;

3.1 (2) a partial or complete revocation of the will;

3.2 (3) an addition to or an alteration of the will; or

3.3 (4) a partial or complete revival of the decedent's formerly revoked will or of a formerly
 3.4 revoked portion of the will.

3.5 (b) This section applies to documents and writings executed on or after March 13, 2020,
 3.6 but before February 15, 2021.

3.7 **EFFECTIVE DATE.** This section is effective retroactively from March 13, 2020, and
 3.8 applies to documents and writings executed on or after that date.

3.9 Sec. 3. Laws 2020, chapter 71, article 2, section 15, subdivision 3, is amended to read:

3.10 Subd. 3. **Out-of-state licenses.** (a) Notwithstanding Minnesota Statutes, section 171.03,
 3.11 ~~paragraph~~ paragraphs (h) and (i), any person who becomes a resident of the state of Minnesota
 3.12 and who possesses a valid ~~noncommercial~~ driver's license issued to the person under and
 3.13 pursuant to the laws of some other state or jurisdiction, or by military authorities of the
 3.14 United States, may operate a motor vehicle for more than 30 days for a commercial driver's
 3.15 license or 60 days for a noncommercial driver's license without being required to have a
 3.16 Minnesota driver's license, as provided by this subdivision. A person described by this
 3.17 subdivision may only operate the types of vehicles for which the license is issued and must
 3.18 apply for a Minnesota driver's license by the last day of the second consecutive month
 3.19 following the month in which the peacetime public health emergency period terminates.

3.20 (b) If a Minnesota resident's driver's license or state identification card issued by another
 3.21 state, jurisdiction, or military authority would expire absent this subdivision during the
 3.22 period specified by subdivision 2, paragraph (a), the expiration date is extended in the
 3.23 manner prescribed by subdivision 2, paragraphs (a) to (e), except that the expiration date
 3.24 for a commercial driver's license must not be extended past the date identified by the Federal
 3.25 Motor Carrier Safety Administration in waivers of applicable federal regulations.

3.26 (c) For purposes of this subdivision, "driver's license" includes but is not limited to an
 3.27 instruction permit, provisional license, operator's permit, limited license, and farm work
 3.28 license.

3.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.1 Sec. 4. Laws 2020, chapter 71, article 2, section 15, is amended by adding a subdivision
4.2 to read:

4.3 Subd. 3a. **Medical certificates and waivers.** Notwithstanding Minnesota Statutes,
4.4 sections 171.162 and 221.0314, subdivisions 2, 3, and 3a, if a medical examiner's certificate
4.5 or a medical waiver would expire absent this subdivision during the period specified by
4.6 subdivision 2, paragraph (a), the expiration date is extended in the manner prescribed by
4.7 subdivision 2, except that it must not be extended past the date identified by the Federal
4.8 Motor Carrier Safety Administration in waivers of applicable federal regulations.

4.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.10 Sec. 5. Laws 2020, chapter 71, article 2, section 15, is amended by adding a subdivision
4.11 to read:

4.12 Subd. 3b. **Commercial driver's licenses.** (a) The commissioner of public safety may
4.13 exercise the authority under this subdivision for restricted commercial driver's licenses
4.14 under Minnesota Statutes, section 171.02, subdivision 4, and otherwise, only if the
4.15 commissioner has established procedures for on-the-road examinations during the peacetime
4.16 public health emergency period, in a manner that (1) ensures personal protective measures
4.17 for applicants and examiners, and (2) complies with guidance and recommendations related
4.18 to the infectious disease known as COVID-19 provided from the Centers for Disease Control
4.19 and Prevention (CDC) and the Minnesota Department of Health.

4.20 (b) Notwithstanding Minnesota Statutes, chapter 171, and Minnesota Rules, part
4.21 7410.1810, during the peacetime public health emergency period, the commissioner may
4.22 issue a new commercial driver's license to a qualifying applicant, except that:

4.23 (1) in lieu of a photograph taken in person, the commissioner may use the most recently
4.24 available photograph of the applicant on record with the department;

4.25 (2) a test of the applicant's eyesight under Minnesota Statutes, section 171.13, subdivision
4.26 1, paragraph (a), clause (1), is not required at the time of application; and

4.27 (3) subject to paragraph (c), the expiration date of the license is the last day of the second
4.28 consecutive month following the month in which the peacetime public health emergency
4.29 period terminates.

4.30 (c) After the peacetime public health emergency period, the expiration date of a license
4.31 issued under this subdivision is adjusted to the date that would otherwise apply for a license
4.32 issued absent this subdivision, if the license holder:

5.1 (1) arranges for an in-person photograph; and

5.2 (2) passes a test of the person's eyesight.

5.3 (d) No fee or surcharge under Minnesota Statutes, chapter 171, is imposed for the license
 5.4 other than the amounts that would otherwise apply for a license issued absent this subdivision.

5.5 (e) The requirements under subdivision 2, paragraphs (d) and (e), apply for a license
 5.6 issued under this subdivision.

5.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.8 **Sec. 6. REPORT TO LEGISLATURE; POWERS EXERCISED BY**
 5.9 **COMMISSIONER OF TRANSPORTATION DURING PEACETIME PUBLIC**
 5.10 **HEALTH EMERGENCY.**

5.11 (a) Within 30 days of the expiration of a peacetime public health emergency period, the
 5.12 commissioner of transportation must report to the legislative committees with jurisdiction
 5.13 over transportation regarding any temporary powers exercised during the peacetime public
 5.14 health emergency period, including but not limited to any statutory requirements or
 5.15 administrative rules that were modified or waived. The report must include a timeline as to
 5.16 when and an explanation of why temporary powers were exercised.

5.17 (b) For purposes of this section, "peacetime public health emergency period" means the
 5.18 duration of any peacetime emergency declared by the governor in an executive order that
 5.19 relates to the infectious disease known as COVID-19.

5.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.21 **Sec. 7. REPORT TO LEGISLATURE; POWERS EXERCISED BY**
 5.22 **METROPOLITAN COUNCIL DURING PEACETIME PUBLIC HEALTH**
 5.23 **EMERGENCY.**

5.24 (a) Within 30 days of the expiration of a peacetime public health emergency period, the
 5.25 chair of the Metropolitan Council must report to the legislative committees with jurisdiction
 5.26 over transportation or the Metropolitan Council regarding any temporary powers exercised
 5.27 during the peacetime public health emergency period, including but not limited to any
 5.28 statutory requirements or administrative rules that were modified or waived. The report
 5.29 must include a timeline as to when and an explanation of why temporary powers were
 5.30 exercised.

6.1 (b) For purposes of this section, "peacetime public health emergency period" means the
 6.2 duration of any peacetime emergency declared by the governor in an executive order that
 6.3 relates to the infectious disease known as COVID-19.

6.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.5 **Sec. 8. EXTENDING THE DEADLINE FOR THE TRANSIT FINANCE REPORT.**

6.6 Notwithstanding Minnesota Statutes, section 473.4485, subdivision 2, the deadline for
 6.7 the metropolitan area transit finance report that is due by October 15, 2020, is extended
 6.8 until February 15, 2021.

6.9 **Sec. 9. USE OF FEDERAL TRANSIT FUNDS.**

6.10 (a) The commissioner of transportation and the chair of the Metropolitan Council, to
 6.11 the extent consistent with federal law and regulations, may use money allocated to the state
 6.12 of Minnesota by the Federal Transit Administration under the Coronavirus Aid, Relief, and
 6.13 Economic Security (CARES) Act, Public Law 116-136, for, but not limited to, the following
 6.14 purposes:

6.15 (1) protection equipment for transit operators, including physical barriers, personal
 6.16 protective equipment, and cleaning materials;

6.17 (2) safety training for operators who are in close contact with members of the public;
 6.18 and

6.19 (3) frequent cleaning of transit vehicles.

6.20 (b) The commissioner of transportation and chair of the Metropolitan Council must
 6.21 report all expenditures made under the Coronavirus Aid, Relief, and Economic Security
 6.22 (CARES) Act, Public Law 116-136, to the chairs and ranking minority members of the
 6.23 house of representatives and senate transportation finance and policy committees by February
 6.24 15, 2021. The report must include the total amount of each expenditure, the purpose of each
 6.25 expenditure, and any additional information the commissioner and chair determine is
 6.26 necessary to properly document each expenditure.

6.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.28 **Sec. 10. UNINSURED INDIVIDUALS NEEDING COVID-19 TESTING.**

6.29 (a) Medical assistance is available for uninsured individuals for the purpose of testing
 6.30 for and diagnosing COVID-19 as described in section 1902(a)(10)(A)(ii)(XXIII) of the
 6.31 Social Security Act.

7.1 (b) For individuals eligible for medical assistance under this section, coverage is limited
 7.2 to any diagnostic product available for the detection of SARS-CoV-2 or the virus that causes
 7.3 COVID-19, necessary to make the diagnosis of COVID-19, and the associated visit, that is
 7.4 furnished during an emergency period described in section 1135(g) of the Social Security
 7.5 Act related to an outbreak of COVID-19. In order to be covered, the diagnostic product
 7.6 must have received Emergency Use Authorization under section 564 of the federal Food,
 7.7 Drug, and Cosmetic Act.

7.8 **EFFECTIVE DATE.** This section is effective upon federal approval. The commissioner
 7.9 of human services shall notify the revisor of statutes when federal approval is received.

7.10 **Sec. 11. COVERAGE FOR COVID-19 TESTING.**

7.11 Medical assistance covers any diagnostic product available for the detection of
 7.12 SARS-CoV-2 or the virus that causes COVID-19, necessary to make the diagnosis of
 7.13 COVID-19, and the associated visit, that is furnished during an emergency period described
 7.14 in section 1135(g) of the Social Security Act related to an outbreak of COVID-19. In order
 7.15 to be covered, the diagnostic product must have received Emergency Use Authorization
 7.16 under section 564 of the federal Food, Drug, and Cosmetic Act.

7.17 **EFFECTIVE DATE** This section is effective upon federal approval. The commissioner
 7.18 of human services shall notify the revisor of statutes when federal approval is received.

7.19 **Sec. 12. COMMISSIONER OF HEALTH; TEMPORARY EMERGENCY**
 7.20 **AUTHORITY.**

7.21 Subdivision 1. **Peacetime emergency; temporary authority granted.** Beginning on
 7.22 the date that the governor declared a peacetime emergency under Minnesota Statutes, section
 7.23 12.31, subdivision 2, for an outbreak of COVID-19, the commissioner of health is granted
 7.24 temporary authority as described in and limited by this section to protect the health and
 7.25 safety of the public. The temporary authority granted to the commissioner in this section
 7.26 may only be used for purposes related to preparing for, preventing, or responding to an
 7.27 outbreak of COVID-19 and for preserving access to programs and services provided, licensed,
 7.28 or regulated by the Department of Health.

7.29 Subd. 2. **Temporary delay, waiver, or modification.** The commissioner may temporarily
 7.30 delay, waive, or modify any of the following provisions and applicable rules:

8.1 (1) provisions in Minnesota Statutes, sections 144.551, 144A.071, and 144A.073,
 8.2 governing the hospital construction moratorium and the moratorium on certification of
 8.3 nursing home beds;

8.4 (2) provisions in Minnesota Statutes, section 144.121, and Minnesota Rules, chapter
 8.5 4732, but only those that govern the health-care-based use of x-ray and related technologies;

8.6 (3) provisions for which the commissioner is responsible in Minnesota Statutes, chapters
 8.7 14, 62D, 62J, 62Q, 144, 144A, 144D, 144G, 144H, 146A, 146B, 148, 149A, 153A, 157,
 8.8 214, and 327, and in Minnesota Statutes, sections 256.045, 626.556, and 626.557;

8.9 (4) provisions related to administrative appeals, reconsiderations, or other reviews
 8.10 involving or initiated by the commissioner; and

8.11 (5) provisions governing the scope, timelines, reporting requirements, and activities of
 8.12 state-funded grants issued by the commissioner to allow grant recipients to use such funds
 8.13 to respond to COVID-19 when authorized by the commissioner.

8.14 Subd. 3. **Temporary alternative health care facilities.** (a) The commissioner may
 8.15 establish temporary alternative health care facilities.

8.16 (b) During the peacetime emergency specified in subdivision 1, compliance and regulatory
 8.17 standards in the following provisions, as they apply to the use of nontraditional spaces to
 8.18 provide patient care in temporary alternative health care facilities established by the
 8.19 commissioner, are suspended:

8.20 (1) Minnesota Statutes, chapters 14, 144, 144A, 144D, 144G, 144H, 146A, 157, and
 8.21 327;

8.22 (2) Minnesota Statutes, sections 256.045, 626.556, and 626.557; and

8.23 (3) corresponding chapters of Minnesota Rules.

8.24 (c) To the extent necessary to establish and regulate the beds at temporary alternative
 8.25 health care facilities described in this subdivision, the commissioner shall consult with the
 8.26 commissioner of labor and industry on state building code issues.

8.27 Subd. 4. **Variiances.** (a) The commissioner may temporarily grant variances on an
 8.28 individual or blanket basis to rules within the commissioner's jurisdiction that do not affect
 8.29 the health or safety of persons in a licensed program.

8.30 (b) The commissioner may temporarily grant variances to rules on an individual basis
 8.31 if:

9.1 (1) the variance is requested by an applicant or license holder in a form and manner
 9.2 prescribed by the commissioner;

9.3 (2) the request for a variance includes the reasons the applicant or license holder cannot
 9.4 comply with the requirements specified in rule and the alternative, equivalent measures the
 9.5 applicant or license holder will follow to comply with the intent of the rule; and

9.6 (3) the request for a variance states the time period for which the variance is requested.

9.7 (c) The commissioner may temporarily grant blanket variances to rules governing licensed
 9.8 programs within the commissioner's jurisdiction if the commissioner:

9.9 (1) determines that the rule does not affect the health or safety of persons in the licensed
 9.10 program;

9.11 (2) identifies the alternative, equivalent measures the applicant or license holder must
 9.12 follow to comply with the intent of the rule; and

9.13 (3) establishes a time period for which the variance is granted.

9.14 (d) The commissioner's decision under this subdivision to grant or deny a variance
 9.15 request is final and not subject to appeal.

9.16 Subd. 5. **Notice.** (a) No later than 48 hours after a delay, waiver, blanket variance, or
 9.17 modification under this section goes into effect, the commissioner must provide written
 9.18 notice of the delay, waiver, blanket variance, or modification to the appropriate ombudsman,
 9.19 if any, and to the chairs and ranking minority members of the legislative committees with
 9.20 jurisdiction over the Department of Health.

9.21 (b) A delay, waiver, blanket variance, or modification issued or granted under this section
 9.22 must be posted on the Department of Health website within 48 hours after being issued or
 9.23 granted and must include a plain-language description of the delay, waiver, blanket variance,
 9.24 or modification.

9.25 Subd. 6. **Report.** Within 60 days after the peacetime emergency specified in subdivision
 9.26 1 is terminated or rescinded by proper authority, the commissioner shall submit a report to
 9.27 the chairs and ranking minority members of the legislative committees with jurisdiction
 9.28 over the Department of Health with specific details about statutes and rules delayed, waived,
 9.29 or modified as authorized in subdivision 2.

9.30 Subd. 7. **Expiration.** This section expires 60 days after the peacetime emergency specified
 9.31 in subdivision 1 is terminated or rescinded by proper authority.

9.32 **EFFECTIVE DATE.** This section is effective retroactively from March 13, 2020.

10.1 **Sec. 13. MEDICAL ASSISTANCE REIMBURSEMENT FOR TEMPORARY**
 10.2 **ALTERNATIVE HEALTH CARE FACILITIES.**

10.3 The commissioner of human services shall enroll temporary alternative health care
 10.4 facilities as medical assistance providers. The commissioner of human services shall establish
 10.5 a payment rate for inpatient services provided by temporary alternative health care facilities
 10.6 that: (1) utilizes to the extent practicable the existing inpatient payment rate method for
 10.7 hospitals based on diagnostic-related groups; and (2) takes into account the statewide average
 10.8 costs of similar acute care facilities. The commissioner of human services shall expedite
 10.9 the procedures for provider enrollment, background studies, and provider screening necessary
 10.10 for service delivery by temporary alternative health care facilities. This section expires 60
 10.11 days after the peacetime emergency declared by the governor under Minnesota Statutes,
 10.12 section 12.31, subdivision 2, for an outbreak of COVID-19 is terminated or rescinded by
 10.13 proper authority.

10.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

10.15 **Sec. 14. TELEMEDICINE COVERAGE DURING A PEACETIME EMERGENCY.**

10.16 **Subdivision 1. Peacetime emergency; temporary modification to telemedicine**
 10.17 **coverage.** During a peacetime emergency declared by the governor under Minnesota Statutes,
 10.18 section 12.31, subdivision 2, for an outbreak of COVID-19, coverage of telemedicine
 10.19 services by health carriers must comply with this section.

10.20 **Subd. 2. Licensed health care provider.** The definition of "licensed health care provider"
 10.21 under Minnesota Statutes, section 62A.671, subdivision 6, must include a mental health
 10.22 practitioner defined under Minnesota Statutes, section 245.462, subdivision 17, or 245.4871,
 10.23 subdivision 26, working under the supervision of a mental health professional.

10.24 **Subd. 3. Definition of telemedicine.** The definition of "telemedicine" under Minnesota
 10.25 Statutes, section 62A.671, subdivision 9, must include communication between a licensed
 10.26 health care provider and a patient that consists solely or primarily of a telephone conversation.

10.27 **Subd. 4. Reimbursement.** (a) A health carrier shall not deny or limit reimbursement
 10.28 based solely on a provider delivering consultations or health care services by telemedicine
 10.29 instead of in-person.

10.30 (b) A health carrier shall not deny or limit reimbursement based solely on the mechanism
 10.31 or platform of telemedicine used by the provider to deliver consultations or health care
 10.32 services so long as the mechanism or platform used by the provider allows for the delivery
 10.33 of telemedicine services as defined in Minnesota Statutes, section 62A.671, subdivision 9.

11.1 Subd. 5. **Expiration.** This section expires 60 days after the peacetime emergency specified
11.2 in subdivision 1 is terminated or rescinded by proper authority.

11.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.4 **Sec. 15. LICENSED RESPIRATORY CARE THERAPISTS; TELEMEDICINE.**

11.5 (a) For purposes of Minnesota Statutes, section 62A.671, a respiratory therapist licensed
11.6 under Minnesota Statutes, chapter 147C, shall be included in the definition of a licensed
11.7 health care provider and respiratory care services provided by a licensed respiratory care
11.8 therapist in accordance with Minnesota Statutes, chapter 147C, shall be covered as a
11.9 telemedicine service, if delivered in accordance with Minnesota Statutes, section 62A.671.

11.10 (b) This section expires 60 days after the peacetime emergency declared by the governor
11.11 in an executive order that relates to the infectious disease known as COVID-19 is terminated,
11.12 rescinded, or expires.

11.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.14 **Sec. 16. DEADLINES GOVERNING PROCEEDINGS IN DISTRICT AND**
11.15 **APPELLATE COURTS SUSPENDED DURING PEACETIME EMERGENCY.**

11.16 (a) The running of deadlines imposed by statutes governing proceedings in the district
11.17 and appellate courts, including any statutes of limitations or other time periods prescribed
11.18 by statute, is suspended during the peacetime emergency declared on March 13, 2020, in
11.19 Governor's Executive Order No. 20-01 and any extensions authorized under Minnesota
11.20 Statutes, section 12.31, subdivision 2, and for 60 days after the end of the peacetime
11.21 emergency declaration. Nothing in this paragraph prevents a court from holding a hearing,
11.22 requiring an appearance, or issuing an order during the peacetime emergency if the judge
11.23 determines that individual circumstances relevant to public safety, personal safety, or other
11.24 emergency matters require action in a specific case.

11.25 (b) This section expires 60 days after the end of the peacetime emergency declaration
11.26 described in paragraph (a) or February 15, 2021, whichever is earlier.

11.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
11.28 applies to all deadlines that had not expired as of March 13, 2020, or were triggered on or
11.29 after that date.

12.1 **Sec. 17. MOTIONS CONTESTING CHILD SUPPORT COST-OF-LIVING**
12.2 **ADJUSTMENTS.**

12.3 Notwithstanding Minnesota Statutes, section 518A.75, subdivision 2a, and section 16,
12.4 a child support obligor to whom the public authority has sent notice of an intended
12.5 cost-of-living adjustment effective May 1, 2020, under Minnesota Statutes, section 518A.75,
12.6 subdivision 2, may file a motion contesting the May 1, 2020, cost-of-living adjustment until
12.7 June 30, 2020. If the obligor is unable to file a motion contesting the May 1, 2020,
12.8 cost-of-living adjustment before June 30, 2020, due to circumstances related to the COVID-19
12.9 pandemic, but files such a motion before October 31, 2020, the court may, in its discretion,
12.10 order a full or partial adjustment to the child support obligation or decline to order an
12.11 adjustment to the child support obligation. Any full or partial adjustment shall be effective
12.12 on May 1, 2020, unless the court selects an alternative effective date based on the
12.13 circumstances of the case. If the effective date creates an overpayment of support, the
12.14 overpayment shall be reconciled pursuant to Minnesota Statutes, section 518A.52.

12.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.16 **Sec. 18. PUBLIC HEALTH EMERGENCY; MARRIAGE LICENSE APPLICATION**
12.17 **AND OATH WITHOUT APPEARANCE.**

12.18 (a) For purposes of this section, "peacetime public health emergency" means any
12.19 peacetime emergency declared by the governor in an executive order that relates to the
12.20 infectious disease known as COVID-19.

12.21 (b) During a peacetime public health emergency, each local registrar may develop and
12.22 implement procedures to examine the parties upon oath and accept civil marriage license
12.23 applications, signed by both parties, by mail, facsimile, or electronic filing. Examination
12.24 of the parties upon oath under this section may include contemporaneous video or audio
12.25 transmission or receipt of a verified statement signed by both parties attesting to the legality
12.26 of the marriage.

12.27 (c) Procedures developed and implemented under this section must be consistent with
12.28 Minnesota Statutes, section 517.08, subdivision 1b, except that the requirement that at least
12.29 one party appear in person does not apply. The use of electronic signatures shall be consistent
12.30 with the requirements of Minnesota Statutes, chapter 325L.

12.31 (d) This section expires at the end of the peacetime public health emergency or January
12.32 15, 2021, whichever is earlier.

12.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.1 **Sec. 19. FARMER-LENDER MEDIATION EXTENSIONS.**

13.2 (a) The legislature finds that due to the emergency created by the COVID-19 pandemic,
 13.3 the time period for the Farmer-Lender Mediation Act needs to be extended to ensure an
 13.4 orderly process with state assistance to adjust agricultural indebtedness to preserve the
 13.5 general welfare and fiscal integrity of the state.

13.6 (b) Notwithstanding Minnesota Statutes, section 583.26, subdivision 4, a creditor may
 13.7 not begin or continue proceedings to enforce a debt subject to the Farmer-Lender Mediation
 13.8 Act against agricultural property of the debtor under Minnesota Statutes, chapter 580 or
 13.9 581, or Minnesota Statutes, sections 336.9-501 to 336.9-508, to terminate a contract for
 13.10 deed to purchase agricultural property under Minnesota Statutes, section 559.21, or to
 13.11 garnish, levy on, execute on, seize, or attach agricultural property until 150 days after the
 13.12 date the debtor files a mediation request with the director of the Minnesota Extension Service.

13.13 (c) Any mediation proceeding being conducted pursuant to Minnesota Statutes, chapter
 13.14 583, and that is in progress on the effective date of this section is allowed an additional 60
 13.15 days from the date the debtor filed a mediation request with the director of the Minnesota
 13.16 Extension Service before a creditor can proceed to enforce a debt against the debtor's
 13.17 agricultural property.

13.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 13.19 applies to mediation requests filed before July 31, 2020.

13.20 **ARTICLE 2**

13.21 **NON-COVID-19 POLICY**

13.22 Section 1. Minnesota Statutes 2019 Supplement, section 168.013, subdivision 1a, is
 13.23 amended to read:

13.24 Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in
 13.25 section 168.002, subdivision 24, and hearses, except as otherwise provided, the registration
 13.26 tax is calculated as \$10 plus an additional tax equal to:

13.27 (1) for a vehicle initially registered in Minnesota prior to the effective date of this section,
 13.28 1.25 percent of the ~~base value.~~ manufacturer's suggested retail price of the vehicle and the
 13.29 destination charge, subject to the adjustments in paragraphs (f) and (g); or

13.30 (2) for a vehicle initially registered in Minnesota on or after the effective date of this
 13.31 section, 1.285 percent of the manufacturer's suggested retail price of the vehicle, subject to
 13.32 the adjustments in paragraphs (f) and (g).

14.1 (b) ~~Subject to the classification provisions herein, "Base value" means the manufacturer's~~
 14.2 ~~suggested retail price of the vehicle including destination charge using list price information~~
 14.3 ~~published by the manufacturer or determined by the registrar if no suggested retail price~~
 14.4 ~~exists, and shall~~ The registration tax calculation must not include the cost of each accessory
 14.5 or item of optional equipment separately added to the vehicle and the manufacturer's
 14.6 suggested retail price. The registration tax calculation must not include a destination charge,
 14.7 except for a vehicle previously registered in Minnesota prior to the effective date of this
 14.8 section.

14.9 (c) In the case of the first registration of a new vehicle sold or leased by a licensed dealer,
 14.10 the dealer may elect to individually determine the base value of registration tax on the
 14.11 vehicle using manufacturer's suggested retail price information provided by the manufacturer.
 14.12 ~~The registrar must use the base value determined by the dealer to properly classify the~~
 14.13 ~~vehicle. The registrar must use the manufacturer's suggested retail price determined by the~~
 14.14 ~~dealer as provided in paragraph (d).~~ A dealer that elects to make the determination must
 14.15 retain a copy of the manufacturer's suggested retail price label or other supporting
 14.16 documentation with the vehicle transaction records maintained under Minnesota Rules, part
 14.17 7400.5200.

14.18 (e) ~~If the manufacturer's list price information contains a single vehicle identification~~
 14.19 ~~number followed by various descriptions and suggested retail prices, the registrar shall~~
 14.20 ~~select from those listings only the lowest price for determining base value.~~

14.21 (d) ~~If unable to determine the base value because the vehicle is specially constructed,~~
 14.22 ~~or for any other reason, the registrar may establish such value upon the cost price to the~~
 14.23 ~~purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales~~
 14.24 ~~or use tax or any local sales or other local tax.~~

14.25 (e) ~~The registrar shall classify every vehicle in its proper base value class as follows:~~

14.26	FROM	TO
14.27	\$ 0	\$ 199.99
14.28	\$ 200	\$ 399.99

14.29 ~~and thereafter a series of classes successively set in brackets having a spread of \$200~~
 14.30 ~~consisting of such number of classes as will permit classification of all vehicles.~~

14.31 (f) ~~The base value for purposes of this section shall be the middle point between the~~
 14.32 ~~extremes of its class.~~

15.1 ~~(g)~~ (d) The registrar shall establish the base value, when new, of every passenger
 15.2 automobile and hearse registered prior to the effective date of Extra Session Laws 1971,
 15.3 chapter 31, must determine the manufacturer's suggested retail price:

15.4 (1) using list price information published by the manufacturer or any nationally
 15.5 recognized firm or association compiling such data for the automotive industry;

15.6 (2) if the list price information is unavailable, using the amount determined by a licensed
 15.7 dealer under paragraph (c);

15.8 (3) if a dealer does not determine the amount, using the retail price label as provided by
 15.9 the manufacturer under United States Code, title 15, section 1232; or

15.10 (4) if the retail price label is not available, using the actual sales price of the vehicle.

15.11 If the registrar is unable to ascertain the base value manufacturer's suggested retail price of
 15.12 any registered vehicle in the foregoing manner, the registrar may use any other available
 15.13 source or method.

15.14 ~~(e)~~ The registrar shall must calculate the registration tax using ~~base value~~ information
 15.15 available to dealers and deputy registrars at the time the initial application for registration
 15.16 is submitted. ~~The tax on all previously registered vehicles shall be computed upon the base~~
 15.17 ~~value thus determined taking into account the depreciation provisions of paragraph (h).~~

15.18 ~~(h)~~ (f) The ~~annual additional tax~~ amount under paragraph (a), clauses (1) and (2), must
 15.19 be computed upon calculated based on a percentage of the base value manufacturer's
 15.20 suggested retail price, as follows: during the first year of vehicle life, upon 100 percent of
 15.21 the base value price; for the second year, 90 percent of such value the price; for the third
 15.22 year, 80 percent of such value the price; for the fourth year, 70 percent of such value the
 15.23 price; for the fifth year, 60 percent of such value the price; for the sixth year, 50 percent of
 15.24 such value the price; for the seventh year, 40 percent of such value the price; for the eighth
 15.25 year, 30 percent of such value the price; for the ninth year, 20 percent of such value the
 15.26 price; and for the tenth year, ten percent of such value; the price.

15.27 ~~(g)~~ For the 11th and each succeeding year, the ~~sum of~~ amount under paragraph (a),
 15.28 clauses (1) and (2), must be calculated as \$25.

15.29 ~~(i) In no event shall the annual additional tax be less than \$25.~~

15.30 ~~(j)~~ (h) Except as provided in subdivision 23, for any vehicle previously registered in
 15.31 Minnesota and regardless of prior ownership, the total amount due under this subdivision
 15.32 and subdivision 1m must not exceed the smallest total amount previously paid or due on
 15.33 the vehicle.

16.1 **EFFECTIVE DATE.** Paragraphs (a) to (g) are effective January 1, 2021, or upon
16.2 deployment of the necessary changes to the replacement motor vehicle title and registration
16.3 information system, whichever is earlier, and apply to taxes payable for a registration period
16.4 starting on or after that date. The commissioner of public safety must notify the revisor of
16.5 statutes of the implementation date. Paragraph (h) is effective July 1, 2020.

16.6 Sec. 2. Minnesota Statutes 2018, section 168.013, is amended by adding a subdivision to
16.7 read:

16.8 Subd. 23. **Adjustments to registration tax.** (a) Except as provided in this subdivision,
16.9 the commissioner must not adjust the manufacturer's suggested retail price or destination
16.10 charge for any vehicle in a subsequent registration period following initial registration in
16.11 Minnesota.

16.12 (b) The commissioner must adjust the registration tax amount of any vehicle to correct
16.13 an error or omission that was made in determining or entering the registration tax amount
16.14 or the destination charge amount. For a vehicle with a registration tax determined based on
16.15 the actual sales price, the commissioner must adjust the registration tax within two years
16.16 of the initial registration using one of the methods described in subdivision 1a, paragraph
16.17 (d), clauses (1) to (3). The adjusted registration tax amount is effective starting with the
16.18 vehicle's next registration period. The commissioner must not collect any amount that would
16.19 have been paid but for the error or omission.

16.20 (c) When the commissioner makes an adjustment to the registration tax amount pursuant
16.21 to this subdivision, the commissioner must mail written notice to the owner of the vehicle
16.22 stating that an adjustment was made to the registration tax amount, the reason for the
16.23 adjustment, and contact information so that the owner may contact the department to ask
16.24 questions.

16.25 **EFFECTIVE DATE.** This section is effective July 1, 2020.

16.26 Sec. 3. Minnesota Statutes 2018, section 299C.46, subdivision 3, is amended to read:

16.27 **Subd. 3. Authorized use, fee.** (a) The criminal justice data communications network
16.28 shall be used exclusively by:

16.29 (1) criminal justice agencies in connection with the performance of duties required by
16.30 law;

17.1 (2) agencies investigating federal security clearances of individuals for assignment or
17.2 retention in federal employment with duties related to national security, as required by
17.3 United States Code, title 5, section 9101;

17.4 (3) other agencies to the extent necessary to provide for protection of the public or
17.5 property in a declared emergency or disaster situation;

17.6 (4) noncriminal justice agencies statutorily mandated, by state or national law, to conduct
17.7 checks into state databases prior to disbursing licenses or providing benefits;

17.8 (5) the public authority responsible for child support enforcement in connection with
17.9 the performance of its duties;

17.10 (6) the public defender, as provided in section 611.272;

17.11 (7) a county attorney or the attorney general, as the county attorney's designee, for the
17.12 purpose of determining whether a petition for the civil commitment of a proposed patient
17.13 as a sexual psychopathic personality or as a sexually dangerous person should be filed, and
17.14 during the pendency of the commitment proceedings;

17.15 (8) an agency of the state or a political subdivision whose access to systems or services
17.16 provided from or through the bureau is specifically authorized by federal law or regulation
17.17 or state statute; ~~and~~

17.18 (9) a court for access to data as authorized by federal law or regulation or state statute
17.19 and related to the disposition of a pending case; and

17.20 (10) a coroner or medical examiner to identify a deceased person as required by section
17.21 390.25.

17.22 (b) The commissioner of public safety shall establish a monthly network access charge
17.23 to be paid by each participating criminal justice agency. The network access charge shall
17.24 be a standard fee established for each terminal, computer, or other equipment directly
17.25 addressable by the data communications network, as follows: January 1, 1984 to December
17.26 31, 1984, \$40 connect fee per month; January 1, 1985 and thereafter, \$50 connect fee per
17.27 month.

17.28 (c) The commissioner of public safety is authorized to arrange for the connection of the
17.29 data communications network with the criminal justice information system of the federal
17.30 government, any state, or country for the secure exchange of information for any of the
17.31 purposes authorized in paragraph (a), clauses (1), (2), (3), (8) and (9).

18.1 (d) Prior to establishing a secure connection, a criminal justice agency that is not part
18.2 of the Minnesota judicial branch must:

18.3 (1) agree to comply with all applicable policies governing access to, submission of or
18.4 use of the data and Minnesota law governing the classification of the data;

18.5 (2) meet the bureau's security requirements;

18.6 (3) agree to pay any required fees; and

18.7 (4) conduct fingerprint-based state and national background checks on its employees
18.8 and contractors as required by the Federal Bureau of Investigation.

18.9 (e) Prior to establishing a secure connection, a criminal justice agency that is part of the
18.10 Minnesota judicial branch must:

18.11 (1) agree to comply with all applicable policies governing access to, submission of or
18.12 use of the data and Minnesota law governing the classification of the data to the extent
18.13 applicable and with the Rules of Public Access to Records of the Judicial Branch promulgated
18.14 by the Minnesota Supreme Court;

18.15 (2) meet the bureau's security requirements;

18.16 (3) agree to pay any required fees; and

18.17 (4) conduct fingerprint-based state and national background checks on its employees
18.18 and contractors as required by the Federal Bureau of Investigation.

18.19 (f) Prior to establishing a secure connection, a noncriminal justice agency must:

18.20 (1) agree to comply with all applicable policies governing access to, submission of or
18.21 use of the data and Minnesota law governing the classification of the data;

18.22 (2) meet the bureau's security requirements;

18.23 (3) agree to pay any required fees; and

18.24 (4) conduct fingerprint-based state and national background checks on its employees
18.25 and contractors.

18.26 (g) Those noncriminal justice agencies that do not have a secure network connection
18.27 yet receive data either retrieved over the secure network by an authorized criminal justice
18.28 agency or as a result of a state or federal criminal history records check shall conduct a
18.29 background check as provided in paragraph (h) of those individuals who receive and review
18.30 the data to determine another individual's eligibility for employment, housing, a license, or
18.31 another legal right dependent on a statutorily mandated background check.

19.1 (h) The background check required by paragraph (f) or (g) is accomplished by submitting
 19.2 a request to the superintendent of the Bureau of Criminal Apprehension that includes a
 19.3 signed, written consent for the Minnesota and national criminal history records check,
 19.4 fingerprints, and the required fee. The superintendent may exchange the fingerprints with
 19.5 the Federal Bureau of Investigation for purposes of obtaining the individual's national
 19.6 criminal history record information.

19.7 The superintendent shall return the results of the national criminal history records check to
 19.8 the noncriminal justice agency to determine if the individual is qualified to have access to
 19.9 state and federal criminal history record information or the secure network. An individual
 19.10 is disqualified when the state and federal criminal history record information show any of
 19.11 the disqualifiers that the individual will apply to the records of others.

19.12 When the individual is to have access to the secure network, the noncriminal justice agency
 19.13 shall review the criminal history of each employee or contractor with the Criminal Justice
 19.14 Information Services systems officer at the bureau, or the officer's designee, to determine
 19.15 if the employee or contractor qualifies for access to the secure network. The Criminal Justice
 19.16 Information Services systems officer or the designee shall make the access determination
 19.17 based on Federal Bureau of Investigation policy and Bureau of Criminal Apprehension
 19.18 policy.

19.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

19.20 **ARTICLE 3**

19.21 **HUMAN SERVICES TECHNICAL AND IMPLEMENTATION CORRECTIONS**

19.22 Section 1. Minnesota Statutes 2018, section 245F.03, is amended to read:

19.23 **245F.03 APPLICATION.**

19.24 (a) This chapter establishes minimum standards for withdrawal management programs
 19.25 licensed by the commissioner that serve one or more unrelated persons.

19.26 (b) This chapter does not apply to a withdrawal management program licensed as a
 19.27 hospital under sections 144.50 to 144.581. A withdrawal management program located in
 19.28 a hospital licensed under sections 144.50 to 144.581 that chooses to be licensed under this
 19.29 chapter is deemed to be in compliance with section 245F.13.

19.30 **(c) Minnesota Rules, parts 9530.6600 to 9530.6655, do not apply to withdrawal**
 19.31 **management programs licensed under this chapter.**

19.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

20.1 Sec. 2. Minnesota Statutes 2018, section 245F.04, is amended by adding a subdivision to
20.2 read:

20.3 Subd. 5. **Withdrawal management services authorization.** A license holder providing
20.4 withdrawal management services may admit an individual when the individual meets the
20.5 admission criteria in section 245F.05, subdivisions 1 and 2. Any assessor providing an
20.6 additional assessment to an individual must follow the process established in section 245F.06.
20.7 If an assessor identifies an individual's need for withdrawal management services while the
20.8 individual is a resident of a substance use disorder treatment facility, the provisions of
20.9 section 256G.02, subdivision 4, paragraphs (c) and (d), shall apply.

20.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

20.11 Sec. 3. Minnesota Statutes 2019 Supplement, section 254A.03, subdivision 3, is amended
20.12 to read:

20.13 Subd. 3. **Rules for substance use disorder care.** (a) The commissioner of human
20.14 services shall establish by rule criteria to be used in determining the appropriate level of
20.15 chemical dependency care for each recipient of public assistance seeking treatment for
20.16 substance misuse or substance use disorder. Upon federal approval of a comprehensive
20.17 assessment as a Medicaid benefit, or on July 1, 2018, whichever is later, and notwithstanding
20.18 the criteria in Minnesota Rules, parts 9530.6600 to 9530.6655, an eligible vendor of
20.19 comprehensive assessments under section 254B.05 may determine and approve the
20.20 appropriate level of substance use disorder treatment for a recipient of public assistance.
20.21 The process for determining an individual's financial eligibility for the consolidated chemical
20.22 dependency treatment fund or determining an individual's enrollment in or eligibility for a
20.23 publicly subsidized health plan is not affected by the individual's choice to access a
20.24 comprehensive assessment for placement.

20.25 (b) The commissioner shall develop and implement a utilization review process for
20.26 publicly funded treatment placements to monitor and review the clinical appropriateness
20.27 and timeliness of all publicly funded placements in treatment.

20.28 (c) If a screen result is positive for alcohol or substance misuse, a brief screening for
20.29 alcohol or substance use disorder that is provided to a recipient of public assistance within
20.30 a primary care clinic, hospital, or other medical setting or school setting establishes medical
20.31 necessity and approval for an initial set of substance use disorder services identified in
20.32 section 254B.05, subdivision 5. The initial set of services approved for a recipient whose
20.33 screen result is positive may include any combination of up to four hours of individual or
20.34 group substance use disorder treatment, two hours of substance use disorder treatment

21.1 coordination, or two hours of substance use disorder peer support services provided by a
 21.2 qualified individual according to chapter 245G. A recipient must obtain an assessment
 21.3 pursuant to paragraph (a) to be approved for additional treatment services.

21.4 (d) Notwithstanding Minnesota Rules, parts 9530.6600 to 9530.6655, an individual may
 21.5 choose to obtain a comprehensive assessment as provided in section 245G.05. Individuals
 21.6 obtaining a comprehensive assessment may access any enrolled provider that is licensed to
 21.7 provide the level of service authorized pursuant to section 254A.19, subdivision 3, paragraph
 21.8 (d). If the individual is enrolled in a prepaid health plan, the individual must comply with
 21.9 any provider network requirements or limitations. This paragraph expires July 1, 2022.

21.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

21.11 Sec. 4. Minnesota Statutes 2018, section 254B.03, subdivision 1, is amended to read:

21.12 Subdivision 1. **Local agency duties.** (a) Every local agency shall provide chemical
 21.13 dependency services to persons residing within its jurisdiction who meet criteria established
 21.14 by the commissioner for placement in a chemical dependency residential or nonresidential
 21.15 treatment service. Chemical dependency money must be administered by the local agencies
 21.16 according to law and rules adopted by the commissioner under sections 14.001 to 14.69.

21.17 (b) In order to contain costs, the commissioner of human services shall select eligible
 21.18 vendors of chemical dependency services who can provide economical and appropriate
 21.19 treatment. Unless the local agency is a social services department directly administered by
 21.20 a county or human services board, the local agency shall not be an eligible vendor under
 21.21 section 254B.05. The commissioner may approve proposals from county boards to provide
 21.22 services in an economical manner or to control utilization, with safeguards to ensure that
 21.23 necessary services are provided. If a county implements a demonstration or experimental
 21.24 medical services funding plan, the commissioner shall transfer the money as appropriate.

21.25 (c) A culturally specific vendor that provides assessments under a variance under
 21.26 Minnesota Rules, part 9530.6610, shall be allowed to provide assessment services to persons
 21.27 not covered by the variance.

21.28 (d) Notwithstanding Minnesota Rules, parts 9530.6600 to 9530.6655, an individual may
 21.29 choose to obtain a comprehensive assessment as provided in section 245G.05. Individuals
 21.30 obtaining a comprehensive assessment may access any enrolled provider that is licensed to
 21.31 provide the level of service authorized pursuant to section 254A.19, subdivision 3, paragraph
 21.32 (d). If the individual is enrolled in a prepaid health plan, the individual must comply with
 21.33 any provider network requirements or limitations.

22.1 (e) Beginning July 1, 2022, local agencies shall not make placement location
 22.2 determinations.

22.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

22.4 Sec. 5. Minnesota Statutes 2019 Supplement, section 256B.0759, subdivision 3, is amended
 22.5 to read:

22.6 Subd. 3. **Provider standards.** (a) The commissioner ~~shall~~ must establish requirements
 22.7 for participating providers that are consistent with the federal requirements of the
 22.8 demonstration project.

22.9 (b) A participating residential provider must obtain applicable licensure under ~~chapters~~
 22.10 chapter 245F and or 245G or other applicable standards for the services provided and must:

22.11 (1) deliver services in accordance with standards published by the commissioner pursuant
 22.12 to paragraph (d);

22.13 (2) maintain formal patient referral arrangements with providers delivering step-up or
 22.14 step-down levels of care in accordance with ASAM standards; and

22.15 (3) ~~provide or arrange for offer~~ offer medication-assisted treatment services ~~if requested by~~
 22.16 ~~a client for whom an effective medication exists~~ on site or facilitate access to
 22.17 medication-assisted treatment services off site.

22.18 (c) A participating outpatient provider must obtain applicable licensure under chapter
 22.19 245G or other applicable standards for the services provided and must:

22.20 (1) deliver services in accordance with standards published by the commissioner pursuant
 22.21 to paragraph (d); and

22.22 (2) maintain formal patient referral arrangements with providers delivering step-up or
 22.23 step-down levels of care in accordance with ASAM standards.

22.24 (d) If the provider standards under chapter 245G or other applicable standards conflict
 22.25 or are duplicative, the commissioner may grant variances to the standards if the variances
 22.26 do not conflict with federal requirements. The commissioner ~~shall~~ must publish service
 22.27 components, service standards, and staffing requirements for participating providers that
 22.28 are consistent with ASAM standards and federal requirements by October 1, 2020.

22.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

23.1 Sec. 6. Minnesota Statutes 2019 Supplement, section 256B.0759, subdivision 4, is amended
23.2 to read:

23.3 Subd. 4. **Provider payment rates.** (a) Payment rates for participating providers must
23.4 be increased for services provided to medical assistance enrollees. To receive a rate increase,
23.5 participating providers must meet demonstration project requirements and provide evidence
23.6 of formal referral arrangements with providers delivering step-up or step-down levels of
23.7 care.

23.8 (b) For substance use disorder services under section 254B.05, subdivision 5, paragraph
23.9 (b), clause (8), provided on or after ~~January~~ July 1, 2020, payment rates must be increased
23.10 by 15 percent over the rates in effect on December 31, ~~2020~~ 2019.

23.11 (c) For substance use disorder services under section 254B.05, subdivision 5, paragraph
23.12 (b), clauses (1), (6), and (7), and ~~(10)~~ adolescent treatment programs that are licensed as
23.13 outpatient treatment programs according to sections 245G.01 to 245G.18, provided on or
23.14 after January 1, 2021, payment rates must be increased by ten percent over the rates in effect
23.15 on December 31, 2020.

23.16 (d) Effective January 1, 2021, and contingent on annual federal approval, managed care
23.17 plans and county-based purchasing plans must reimburse providers of the substance use
23.18 disorder services meeting the criteria described in paragraph (a) who are employed by or
23.19 under contract with the plan an amount that is at least equal to the fee-for-service base rate
23.20 payment for the substance use disorder services described in paragraphs (b) and (c). The
23.21 commissioner must monitor the effect of this requirement on the rate of access to substance
23.22 use disorder services and residential substance use disorder rates. Capitation rates paid to
23.23 managed care organizations and county-based purchasing plans must reflect the impact of
23.24 this requirement. This paragraph expires if federal approval is not received at any time as
23.25 required under this paragraph.

23.26 (e) Effective July 1, 2021, contracts between managed care plans and county-based
23.27 purchasing plans and providers to whom paragraph (d) applies must allow recovery of
23.28 payments from those providers if, for any contract year, federal approval for the provisions
23.29 of paragraph (d) is not received, and capitation rates are adjusted as a result. Payment
23.30 recoveries must not exceed the amount equal to any decrease in rates that results from this
23.31 provision.

23.32 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
23.33 that paragraph (b) is effective retroactively from July 1, 2019.

24.1 Sec. 7. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 2, is
24.2 amended to read:

24.3 **Subd. 2. TANF Maintenance of Effort**

24.4 **(a) Nonfederal Expenditures.** The
24.5 commissioner shall ensure that sufficient
24.6 qualified nonfederal expenditures are made
24.7 each year to meet the state's maintenance of
24.8 effort (MOE) requirements of the TANF block
24.9 grant specified under Code of Federal
24.10 Regulations, title 45, section 263.1. In order
24.11 to meet these basic TANF/MOE requirements,
24.12 the commissioner may report as TANF/MOE
24.13 expenditures only nonfederal money expended
24.14 for allowable activities listed in the following
24.15 clauses:

24.16 (1) MFIP cash, diversionary work program,
24.17 and food assistance benefits under Minnesota
24.18 Statutes, chapter 256J;

24.19 (2) the child care assistance programs under
24.20 Minnesota Statutes, sections 119B.03 and
24.21 119B.05, and county child care administrative
24.22 costs under Minnesota Statutes, section
24.23 119B.15;

24.24 (3) state and county MFIP administrative costs
24.25 under Minnesota Statutes, chapters 256J and
24.26 256K;

24.27 (4) state, county, and tribal MFIP employment
24.28 services under Minnesota Statutes, chapters
24.29 256J and 256K;

24.30 (5) expenditures made on behalf of legal
24.31 noncitizen MFIP recipients who qualify for
24.32 the MinnesotaCare program under Minnesota
24.33 Statutes, chapter 256L;

- 25.1 (6) qualifying working family credit
 25.2 expenditures under Minnesota Statutes, section
 25.3 290.0671;
- 25.4 (7) qualifying Minnesota education credit
 25.5 expenditures under Minnesota Statutes, section
 25.6 290.0674; and
- 25.7 ~~(7)~~ (8) qualifying Head Start expenditures
 25.8 under Minnesota Statutes, section 119A.50.
- 25.9 **(b) Nonfederal Expenditures; Reporting.**
 25.10 For the activities listed in paragraph (a),
 25.11 clauses (2) to ~~(7)~~ (8), the commissioner may
 25.12 report only expenditures that are excluded
 25.13 from the definition of assistance under Code
 25.14 of Federal Regulations, title 45, section
 25.15 260.31.
- 25.16 **(c) Certain Expenditures Required.** The
 25.17 commissioner shall ensure that the MOE used
 25.18 by the commissioner of management and
 25.19 budget for the February and November
 25.20 forecasts required under Minnesota Statutes,
 25.21 section 16A.103, contains expenditures under
 25.22 paragraph (a), clause (1), equal to at least 16
 25.23 percent of the total required under Code of
 25.24 Federal Regulations, title 45, section 263.1.
- 25.25 **(d) Limitation; Exceptions.** The
 25.26 commissioner must not claim an amount of
 25.27 TANF/MOE in excess of the 75 percent
 25.28 standard in Code of Federal Regulations, title
 25.29 45, section 263.1(a)(2), except:
- 25.30 (1) to the extent necessary to meet the 80
 25.31 percent standard under Code of Federal
 25.32 Regulations, title 45, section 263.1(a)(1), if it
 25.33 is determined by the commissioner that the

26.1 state will not meet the TANF work
26.2 participation target rate for the current year;
26.3 (2) to provide any additional amounts under
26.4 Code of Federal Regulations, title 45, section
26.5 264.5, that relate to replacement of TANF
26.6 funds due to the operation of TANF penalties;
26.7 and
26.8 (3) to provide any additional amounts that may
26.9 contribute to avoiding or reducing TANF work
26.10 participation penalties through the operation
26.11 of the excess MOE provisions of Code of
26.12 Federal Regulations, title 45, section 261.43
26.13 (a)(2).
26.14 **(e) Supplemental Expenditures.** For the
26.15 purposes of paragraph (d), the commissioner
26.16 may supplement the MOE claim with other
26.17 qualified expenditures to the extent such
26.18 expenditures are otherwise available after
26.19 considering the expenditures allowed in this
26.20 subdivision.
26.21 **(f) Reduction of Appropriations; Exception.**
26.22 The requirement in Minnesota Statutes, section
26.23 256.011, subdivision 3, that federal grants or
26.24 aids secured or obtained under that subdivision
26.25 be used to reduce any direct appropriations
26.26 provided by law, does not apply if the grants
26.27 or aids are federal TANF funds.
26.28 **(g) IT Appropriations Generally.** This
26.29 appropriation includes funds for information
26.30 technology projects, services, and support.
26.31 Notwithstanding Minnesota Statutes, section
26.32 16E.0466, funding for information technology
26.33 project costs shall be incorporated into the
26.34 service level agreement and paid to the Office

27.1 of MN.IT Services by the Department of
27.2 Human Services under the rates and
27.3 mechanism specified in that agreement.

27.4 **(h) Receipts for Systems Project.**

27.5 Appropriations and federal receipts for
27.6 information systems projects for MAXIS,
27.7 PRISM, MMIS, ISDS, METS, and SSIS must
27.8 be deposited in the state systems account
27.9 authorized in Minnesota Statutes, section
27.10 256.014. Money appropriated for computer
27.11 projects approved by the commissioner of the
27.12 Office of MN.IT Services, funded by the
27.13 legislature, and approved by the commissioner
27.14 of management and budget may be transferred
27.15 from one project to another and from
27.16 development to operations as the
27.17 commissioner of human services considers
27.18 necessary. Any unexpended balance in the
27.19 appropriation for these projects does not
27.20 cancel and is available for ongoing
27.21 development and operations.

27.22 **(i) Federal SNAP Education and Training**

27.23 **Grants.** Federal funds available during fiscal
27.24 years 2020 and 2021 for Supplemental
27.25 Nutrition Assistance Program Education and
27.26 Training and SNAP Quality Control
27.27 Performance Bonus grants are appropriated
27.28 to the commissioner of human services for the
27.29 purposes allowable under the terms of the
27.30 federal award. This paragraph is effective the
27.31 day following final enactment.

27.32 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

28.1 Sec. 8. Laws 2019, First Special Session chapter 9, article 14, section 2, is amended by
 28.2 adding a subdivision to read:

28.3 **Subd. 2a. Working Family Credit as TANF/MOE**

28.4 The commissioner may claim as TANF/MOE
 28.5 up to \$6,707,000 per year of working family
 28.6 credit expenditures in each fiscal year.

28.7 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

28.8 Sec. 9. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 24,
 28.9 is amended to read:

28.10 **Subd. 24. Grant Programs; Children and**
 28.11 **Economic Support Grants**

24,315,000

24,315,000

28.12 **(a) Minnesota Food Assistance Program.**

28.13 Unexpended funds for the Minnesota food
 28.14 assistance program for fiscal year 2020 do not
 28.15 cancel but are available for this purpose in
 28.16 fiscal year 2021.

28.17 **(b) Shelter-Linked Youth Mental Health**

28.18 **Grants.** \$250,000 in fiscal year 2020 and
 28.19 \$250,000 in fiscal year 2021 are from the
 28.20 general fund for shelter-linked youth mental
 28.21 health grants under Minnesota Statutes, section
 28.22 256K.46.

28.23 **(c) Emergency Services Grants. \$1,500,000**

28.24 in fiscal year 2020 and \$1,500,000 in fiscal
 28.25 year 2021 are to provide emergency services
 28.26 grants under Minnesota Statutes, section
 28.27 256E.36. This is a onetime appropriation.

28.28 **(d) Base Level Adjustment.** The general fund

28.29 base is \$22,815,000 in fiscal year 2022 and
 28.30 \$22,815,000 in fiscal year 2023.

28.31 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

29.1 Sec. 10. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 30,
29.2 is amended to read:

29.3 **Subd. 30. Grant Programs; Housing Support**
29.4 **Grants** 9,264,000 10,364,000

29.5 ~~Emergency Services Grants. \$1,500,000 in~~
29.6 ~~fiscal year 2020 and \$1,500,000 in fiscal year~~
29.7 ~~2021 are to provide emergency services grants~~
29.8 ~~under Minnesota Statutes, section 256E.36.~~
29.9 ~~This is a onetime appropriation.~~

29.10 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

29.11 Sec. 11. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 31,
29.12 is amended to read:

29.13 **Subd. 31. Grant Programs; Adult Mental Health**
29.14 **Grants** 82,302,000 79,877,000

29.15 **(a) Certified Community Behavioral Health**
29.16 **Center (CCBHC) Expansion.** \$100,000 in
29.17 fiscal year 2020 and \$200,000 in fiscal year
29.18 2021 ~~is~~ are from the general fund for grants
29.19 for planning, staff training, and other quality
29.20 improvements that are required to comply with
29.21 federal CCBHC criteria for three expansion
29.22 sites.

29.23 **(b) Mobile Mental Health Crisis Response**
29.24 **Team Funding.** \$1,250,000 in fiscal year
29.25 2020 and \$1,250,000 in fiscal year 2021 are
29.26 for adult mental health grants under Minnesota
29.27 Statutes, section 245.4661, subdivision 9,
29.28 paragraph (a), clause (1), to fund regional
29.29 mobile mental health crisis response teams
29.30 throughout the state. The base for this
29.31 appropriation is \$4,896,000 in fiscal year 2022
29.32 and \$4,897,000 in fiscal year 2023.

29.33 **(c) Specialized Mental Health Community**
29.34 **Supervision Pilot Project.** \$400,000 in fiscal

30.1 year 2020 is for a grant to Anoka County for
 30.2 establishment of a specialized mental health
 30.3 community supervision caseload pilot project.
 30.4 This is a onetime appropriation.

30.5 (d) **Base Level Adjustment.** The general fund
 30.6 base is \$83,323,000 in fiscal year 2022 and
 30.7 \$83,324,000 in fiscal year 2023.

30.8 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

30.9 Sec. 12. **REVIVAL AND REENACTMENT.**

30.10 Minnesota Statutes, section 254B.03, subdivision 4a, is revived and reenacted effective
 30.11 retroactively and without interruption from July 1, 2019.

30.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

30.13 Sec. 13. **REPEALER.**

30.14 (a) Minnesota Statutes 2018, section 254B.03, subdivision 4a, is repealed effective July
 30.15 1, 2020.

30.16 (b) Minnesota Rules, parts 9530.6600, subparts 1 and 3; 9530.6605, subparts 1, 2, 3, 4,
 30.17 5, 8, 9, 10, 11, 12, 13, 14, 21a, 21b, 24a, 25, 25a, and 26; 9530.6610, subparts 1, 2, 3, and
 30.18 5; 9530.6615; 9530.6620; 9530.6622; and 9530.6655, are repealed effective July 1, 2022.

30.19 **ARTICLE 4**

30.20 **HUMAN SERVICES FORECAST ADJUSTMENTS**

30.21 Section 1. **HUMAN SERVICES APPROPRIATIONS.**

30.22 The dollar amounts shown in the columns marked "Appropriations" are added to or, if
 30.23 shown in parentheses, are subtracted from the appropriations in Laws 2019, First Special
 30.24 Session chapter 9, article 14, from the general fund or any fund named to the Department
 30.25 of Human Services for the purposes specified in this article, to be available for the fiscal
 30.26 year indicated for each purpose. The figures "2020" and "2021" used in this article mean
 30.27 that the appropriations listed under them are available for the fiscal years ending June 30,
 30.28 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year"
 30.29 is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

30.30 **APPROPRIATIONS**
 30.31 **Available for the Year**

31.1	<u>Ending June 30</u>		
31.2		<u>2020</u>	<u>2021</u>
31.3	<u>Sec. 2. COMMISSIONER OF HUMAN</u>		
31.4	<u>SERVICES</u>		
31.5	<u>Subdivision 1. Total Appropriation</u>	<u>\$ (104,478,000)</u>	<u>\$ (85,978,000)</u>
31.6	<u>Appropriations by Fund</u>		
31.7	<u>General Fund</u>	<u>(90,509,000)</u>	<u>(11,653,000)</u>
31.8	<u>Health Care Access</u>		
31.9	<u>Fund</u>	<u>1,900,000</u>	<u>(73,313,000)</u>
31.10	<u>Federal TANF</u>	<u>(15,869,000)</u>	<u>(1,012,000)</u>
31.11	<u>Subd. 2. Forecasted Programs</u>		
31.12	<u>(a) MFIP/DWP</u>		
31.13	<u>Appropriations by Fund</u>		
31.14	<u>General Fund</u>	<u>7,600,000</u>	<u>(4,475,000)</u>
31.15	<u>Federal TANF</u>	<u>(15,869,000)</u>	<u>(1,012,000)</u>
31.16	<u>(b) MFIP Child Care Assistance</u>	<u>(24,661,000)</u>	<u>(8,541,000)</u>
31.17	<u>(c) General Assistance</u>	<u>1,112,000</u>	<u>1,141,000</u>
31.18	<u>(d) Minnesota Supplemental Aid</u>	<u>1,173,000</u>	<u>1,377,000</u>
31.19	<u>(e) Housing Support</u>	<u>5,355,000</u>	<u>7,973,000</u>
31.20	<u>(f) Northstar Care for Children</u>	<u>8,150,000</u>	<u>10,169,000</u>
31.21	<u>(g) MinnesotaCare</u>	<u>1,900,000</u>	<u>(73,313,000)</u>
31.22	<u>These appropriations are from the health care</u>		
31.23	<u>access fund.</u>		
31.24	<u>(h) Medical Assistance</u>		
31.25	<u>Appropriations by Fund</u>		
31.26	<u>General Fund</u>	<u>(78,267,000)</u>	<u>(11,477,000)</u>
31.27	<u>Health Care Access</u>		
31.28	<u>Fund</u>	<u>-0-</u>	<u>-0-</u>
31.29	<u>(i) Alternative Care Program</u>	<u>-0-</u>	<u>-0-</u>
31.30	<u>(j) CCDTF Entitlements</u>	<u>(10,971,000)</u>	<u>(7,820,000)</u>
31.31	<u>Subd. 3. Technical Activities</u>	<u>-0-</u>	<u>-0-</u>

32.1 These appropriations are from the federal

32.2 TANF fund.

32.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.