

# House Research Act Summary

**CHAPTER:** 338

**SESSION:** 2008 Regular Session

**TOPIC:** Regulation of payments to bridge collapse survivors; community consortium demonstration project

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## Overview

Sections 1 and 2 of this act change the 2008 law that provided compensation to survivors of the I-35W bridge collapse.

Section 3 of this act requires the commissioner of human services to establish an older adult services community consortium demonstration project and specifies project requirements. The section also requires specified grant funds to be reserved for or reduced to fund community consortium, and requires the commissioner to evaluate the project and report to the legislature.

- 1** **I-35W survivors; public assistance.** Provides that payments made to survivors of the I-35W bridge collapse under Laws 2008, chapter 288 (or from a state emergency relief fund) shall not be counted as income, assets, or resources for purposes of specified health care and maintenance programs. [*Note: Technical changes to this topic were enacted later in Laws 2008, chapter 370, section 10.*]
- 2** **I-35W survivors; payment from other sources.** This section, in combination with amendments adopted in Laws 2008, chapter 370, section 11, provides that a person who is not a third-party tortfeasor may eliminate or reduce payments to an I-35W survivor to the extent those payments represent damages for future losses for which the survivor received compensation under Laws 2008, chapter 288 (or from the state emergency relief fund). A third-party tortfeasor who is required to make payments, including future payments, may not eliminate or reduce those payments as a result of compensation paid under chapter 288 or as a result of a survivor's release of claims against the state or a municipality.

**Older adult services community consortiums.**

**Subd. 1. Establishment.** (a) Requires the commissioner of human services, in cooperation with the commissioners of health and housing finance, to develop and implement, beginning July 1, 2009, a three-year demonstration project for older adult services community consortiums. States that a consortium may consist of health care and social service providers, county agencies, health plan companies, and other community stakeholders within a demonstration site, that have established a process for joint decision-making. Demonstration sites may include a portion of a county, an entire county, or multiple counties.

(b) Requires each community consortium seeking to participate to submit an application to the commissioner. Lists requirements for the application.

(c) Requires the commissioner to establish a process to review and consider applicants. Requires the commissioner to designate up to three community consortiums as demonstration sites.

(d) Requires each community consortium selected to participate to establish a local group to assist in planning, designing, implementing, and evaluating the coordinated service delivery system within the demonstration site. Requires planning to build upon current planning processes developed by county gaps analyses and Elder Care Development Partnerships.

**Subd. 2. Goals.** States that the community consortium demonstration projects are intended to accelerate the development of community-based services to fill identified gaps through use of a pool of funds and flexibility in their use and distribution. Requires projects to be designed to:

(1) ensure consumer access to a continuum of older adult services;

(2) create an adequate supply of affordable home-based alternatives to care for persons currently using nursing facilities, or likely to need nursing facility services in the future;

(3) establish and achieve measurable performance targets for care delivered throughout the continuum of care; and

(4) support the management of chronic and complex conditions through greater coordination of all services needed by older adults.

**Subd. 3. Priority for other grants.** Requires the commissioner of health to give priority to community consortiums selected as demonstration sites when awarding technology-related grants. Requires the commissioner of the Housing Finance Agency to give priority to financially feasible projects proposed or supported by community consortiums selected as demonstration sites, to the extent the commissioner funds projects to create or preserve affordable housing options for older adults. Requires the commissioner of transportation to give priority to community consortiums selected as demonstration sites when distributing

transportation-related funds to create transportation options for older adults.

**Subd. 4. Federal approval.** Requires the commissioner of human services to request any federal approvals or waivers necessary to implement the community consortiums under MA and to include MA funding in the community consortium account.

**Subd. 5. State waivers.** Requires the commissioner of health to waive applicable state laws and rules on a time-limited basis, if the commissioner determines that a consortium requires a waiver in order to achieve project goals.

**Subd. 6. Quality measures.** (a) Requires consortiums to report information to the commissioner of human services necessary to evaluate the demonstration project. Requires the information collected to include both process and outcome measures, including but not limited to measures related to enrollee satisfaction, service delivery, service coordination, service access, use of technology, individual outcomes, and costs.

(b) Requires consortiums to identify state policies that limit the extent to which project goals can be achieved and recommend necessary changes to the appropriate state agencies.

**Subd. 7. Community consortium financing.** (a) Requires the commissioner of health to reserve 10 percent of any funds appropriated for the biennium ending June 30, 2011, for the nursing home moratorium exception process, for distribution to qualifying projects that are part of a community consortium.

(b) Makes a one-time 10 percent reduction in nursing facility performance incentive payments, for the biennium ending June 30, 2011.

(c) Makes a one-time 10 percent reduction in base level funding for community service grants and community services development grants, for the biennium ending June 30, 2011.

(d) Appropriates an amount equal to the state share of the reductions in paragraphs (b) and (c) from the general fund to the commissioner of human services for distribution to qualifying projects that are part of a community consortium, to be available until expended.

**Subd. 8. Evaluation and report.** Requires the commissioner of human services, in cooperation with the commissioners of health and housing finance, to evaluate the demonstration project, and report preliminary findings and recommendations to the legislature by November 15, 2011, on whether the project should be continued and whether the number of sites increased. Requires the final findings and recommendations to be reported to the legislature by January 15, 2013. Specifies evaluation and report criteria. Allows the commissioner to withhold up to \$50,000 of the funding provided to each participating consortium to fund the evaluation and

report.