

**Subject** Children's residential treatment, psychiatric residential treatment, and intensive treatment services

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## Overview

Psychiatric residential treatment facilities (PRTFs) are licensed by the Department of Human Services, to provide services to children and youth with complex mental health conditions. PRTFs are exempt from the federal IMD exclusion, and are a more intensive option than children's residential treatment, intensive treatment in foster care, or day treatment, but less intensive than a psychiatric hospital or a psychiatric unit of a general hospital. Currently, PRTF beds are capped at 150 in Minnesota.

This bill includes PRTFs in special education requirements for facilities, expands PRTF provider eligibility, modifies PRTF provider per diem rates, expands children's intensive treatment in foster care eligibility, extends state-only medical assistance payments for children's residential treatment, and establishes grants for PRTF start-up costs.

## Summary

Section	Description
1	<p><b>Approval of on-site education programs.</b></p> <p>Amends § 125A.515, subd. 1.</p> <p>Adds PRTFs to on-site education programs for youth placed in residential programs that must be approved by the commissioner of education.</p>
2	<p><b>Responsibilities for providing education.</b></p> <p>Amends § 125A.515, subd. 3.</p> <p>Adds PRTFs to the requirement for the school district in which the facility is located to provide education services to the children in the facility.</p>
3	<p><b>Education services required.</b></p> <p>Amends § 125A.515, subd. 4.</p>

Section	Description
	Adds PRTFs to requirement that a student receive education services within three business days after entering a facility.
4	<b>Education programs for students placed in children's residential facilities.</b> Amends § 125A.515, subd. 5.  Adds PRTFs to requirements related to students with disabilities and individualized education programs (IEPs).
5	<b>Minimum educational services required.</b> Amends § 125A.515, subd. 7.  Adds PRTFs to the requirement that the providing district provide necessary education services for a school day, including summer school services if needed, with alterations depending on a student's IEP.
6	<b>Placement, services, and due process.</b> Amends § 125A.515, subd. 8.  Adds PRTFs to requirements related to educational setting, integrated services, placement decisions, and disciplinary procedures.
7	<b>Psychiatric residential treatment facility services for persons younger than 21 years of age.</b> Amends § 256B.0625, subd. 45a.  Modifies requirements for increasing PRTF capacity and program development by removing the 150 bed and six site limit and replacing the existing request for proposals (RFP) process with letters of intent from existing providers. Requires the commissioner of human services to respond to each letter of intent within 30 days and provide technical assistance. Requires the commissioner to establish an RFP process for distributing grant funds for PRTF start-up costs.
8	<b>Per diem rate.</b> Amends § 256B.0941, subd. 3.  Modifies PRTF per diem rate to be per provider rather than a statewide rate.
9	<b>Intensive treatment in foster care and in-home care.</b> Amends § 256B.0946.  Expands eligibility for medical assistance coverage of intensive mental health treatment services in foster care to include a child who remains in the child's family home, who

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10, 11	<p>requires intensive mental health services to prevent placement in a residential facility or hospital; makes corresponding changes.</p> <p>Amends the effective dates for Laws 2017, First Special Session chapter 6, article 8, sections 71 and 72, which would extend provisions governing state-only MA funding for mental health services provided in children’s residential facilities that have been determined by the federal Centers for Medicare and Medicaid Services to be institutions for mental disease, until July 1, 2021.</p> <p>Makes these sections effective the day following final enactment.</p>
12	<p><b>Appropriation; psychiatric residential treatment facility start-up grants.</b></p> <p>Appropriates money for grants to providers that have previously been approved by the commissioner of human services to provide PRTF services to initiate additional PRTF services or increase capacity. Specifies activities for which grant funds may be used.</p>



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