

Subject DHS Policy Bill – Human Services and Substance Use Disorder Provider Licensing

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Overview

This bill modifies human services licensing suspension procedures and withdrawal management program staff qualifications and personnel policy requirements, and modifies several provisions related to substance use disorder treatment licensing.

Summary

Section	Description
1	<p>Immediate suspension expedited hearing.</p> <p>Amends § 245A.07, subd. 2a. Clarifies the timeline and procedures for immediate license suspension expedited decisions and appeals. Allows a license suspension to be extended if a law enforcement or maltreatment investigation or judicial proceeding is ongoing and persons served by the program remain at imminent risk of harm.</p>
2	<p>License suspension, revocation, or fine.</p> <p>Amends § 245A.07, subd. 3. Adds language allowing the commissioner to issue a suspension pursuant to the changes in section 1.</p>
3	<p>Qualifications for all staff who have direct patient contact.</p> <p>Amends § 245F.15, subd. 1. For withdrawal management programs, removes requirements related to the amount of time staff must document as being free of substance use problems.</p> <p>Makes this section effective January 1, 2023.</p>
4	<p>Policy requirements.</p> <p>Amends § 245F.16, subd. 1. For withdrawal management programs, clarifies language regarding disciplinary action for violation of the drug and alcohol policy; adds cross-reference to broader human services licensing drug and alcohol policy requirements.</p>

Section	Description
	Makes this section effective January 1, 2023.
5	Alcohol and drug counselor. Amends § 245G.01, subd. 4. For substance use disorder treatment programs, modifies cross-reference for alcohol and drug counselor qualifications. Provides an immediate effective date.
6	Licensed professional in private practice. Amends § 245G.01, subd. 17. Modifies definition of “licensed professional in private practice” by clarifying what “affiliate” means for purposes of the definition. Provides an immediate effective date.
7	Documentation of treatment services. Amends § 245G.06 by adding subd. 2a. Specifies streamlined client record documentation requirements for treatment services provided. Makes this section effective August 1, 2022.
8	Client record documentation requirements. Amends § 245G.06 by adding subd. 2b. Specifies requirements for documenting a significant event in the client record on the day the event occurs; lists events that must be documented. Makes this section effective August 1, 2022.
9	Treatment plan review. Amends § 245G.06, subd. 3. Removes treatment services documentation requirements; specifies that a treatment plan review must be entered in a client’s file by the alcohol and drug counselor responsible for the treatment plan. Modifies treatment plan review documentation requirements. Makes this section effective August 1, 2022.
10	Administration of medication and assistance with self-medication. Amends § 245G.08, subd. 5. Specifies that staff members may only administer medications in a method for which the staff member has been trained; adds intranasal and two intramuscular medications. Provides an immediate effective date.

Section	Description
11	<p>Contents.</p> <p>Amends § 245G.09, subd. 3. Modifies client record required contents based on changes in previous sections of this bill.</p> <p>Makes this section effective August 1, 2022.</p>
12	<p>General qualifications.</p> <p>Amends § 245G.11, subd. 1. Removes requirements related to the amount of time staff must attest to being free of problematic substance use.</p> <p>Makes this section effective January 1, 2023.</p>
13	<p>Student interns.</p> <p>Amends § 245G.11, subd. 10. Removes progress notes and adds treatment plan review to items a supervisor must review and sign for a student intern.</p> <p>Makes this section effective January 1, 2023.</p>
14	<p>Personnel policy requirements.</p> <p>Amends § 245G.13, subd. 1. Removes personnel policy requirements related to problematic substance use; adds cross-reference to broader human services licensing drug and alcohol policy requirements.</p> <p>Makes this section effective January 1, 2023.</p>
15	<p>License holders serving persons with co-occurring disorders.</p> <p>Amends § 245G.20. Updates language from progress notes to treatment plan reviews.</p> <p>Makes this section effective January 1, 2023.</p>
16	<p>Restrictions for unsupervised use of methadone hydrochloride.</p> <p>Amends § 245G.22, subd. 7. Clarifies provision related to the number of unsupervised medication doses a client may receive per week.</p> <p>Provides an immediate effective date.</p>
17	<p>Direction to commissioner of human services; amending children’s residential facility and detoxification program rules.</p> <p>Directs the commissioner to amend specified parts and subparts of Minnesota Rules related to children’s residential facilities and detoxification programs.</p>

Section	Description
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18	Repealer.
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	Repeals section 245F.15, subd. 2 (withdrawal management programs; continuing employment; no substance use problems) and section 245G.11, subd. 2 (SUD program employment; problematic substance use prohibition).
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	Repeals Minnesota Rules parts 2960.0460, subpart 2; and 9530.6565, subpart 2 (staff qualifications; continuing employment; free from substance use problems).
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	Makes this section effective January 1, 2023.
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