

Subject Human Services Frontline Workforce Provisions

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Overview

This bill includes various human services frontline workforce provisions to retain, recruit, and revitalize the human services frontline workforce, including:

- establishing mental health provider supervision grants;
- establishing workforce incentive fund grants;
- establishing a systemic critical incident review process;
- modifying PCA and CFSS payment rates;
- modifying the Disability Waiver Rate System base wage index for positive supports professional staff;
- increasing ICF/DD operating payment rates;
- modifying elderly waiver payment rates; and
- appropriating money for on-site workforce support services at postsecondary institutions, behavioral health peer training, mid-skilled health occupations, and online tool accessibility and capacity expansion.

Summary

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1	Mental health provider supervision grants.
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Creates § 245I.041. Establishes a program to provide grants to mental health providers to fund supervision of interns and clinical trainees and to subsidize the cost of licensing applications and examination fees for clinical trainees.

Subd. 1. Grant program established. Directs the commissioner of human services to award grants to eligible mental health providers to fund supervision of interns and clinical trainees working toward becoming licensed mental health professionals and to subsidize the costs of mental health professional licensing applications and examination fees.

Subd. 2. Definitions. Defines terms for this section: “mental health professional” and “underrepresented community.”

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Subd. 3. Eligible providers. Provides that to be eligible for a grant, a mental health provider must either provide at least 25 percent of its services to state public program enrollees or patients receiving sliding fee discounts, or primarily serve persons from communities of color or underrepresented communities.

Subd. 4. Application; grant award. Requires a mental health provider seeking a grant to apply to the commissioner, and requires the commissioner to review applications and to determine grant amounts awarded.

Subd. 5. Allowable uses of grant funds. Allows a mental health provider to use grant funds to pay for direct supervision hours for interns and clinical trainees, to establish a program to provide supervision to multiple interns or clinical trainees, and to pay mental health professional licensing application and examination fees.

Subd. 6. Program oversight. Allows the commissioner to require grant recipients to provide the commissioner with information needed to evaluate the program.

Provides a July 1, 2022, effective date.

2 **Department of Human Services systemic critical incident review team.**

Amends § 256.01 by adding subd. 12b. Allows the commissioner to establish a systemic critical incident review team to review critical incidents related to vulnerable adults in facilities or services for which the Department of Human Services is the lead investigative agency. Specifies duties of the review team and requirements for the critical incident review process, including data collection, systemic mapping of the critical incident, and analysis of the case for systemic influences. Specifies case selection committee requirements and data and disclosure prohibitions.

3 **Workforce incentive fund grants.**

Creates § 256.4778. Establishes workforce incentive fund grants for behavioral health, housing, disability, and home and community-based older adult providers to assist with recruiting and retaining direct support and frontline workers.

Subd. 1. Grant program established. Requires the commissioner of human services to establish grants for behavioral health, housing, disability, and home and community-based older adult providers to assist with recruiting and retaining direct support and frontline workers.

Subd. 2. Definitions. Defines terms for purposes of this section including “commissioner,” “eligible worker,” and “eligible employer.”

Subd. 3. Allowable uses of funds. Lists allowable uses of funds under the workforce incentive fund grant program. Requires the commissioner to: (1)

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develop a grant cycle distribution plan that allows for equitable distribution of funding among eligible employer types; and (2) make efforts to prioritize Black, Indigenous, and people of color-owned and small to midsize eligible employers.

Subd. 4. Attestation. Requires an eligible employer to attest to certain conditions as a condition of obtaining a workforce incentive grant payment.

Subd. 5. Self-directed services workforce. Specifies that grants paid to employees providing covered services under the quality self-directed services workforce provision do not constitute a change in term or condition and are not subject to the state's obligation to meet and negotiate under the chapter of statutes governing public employment labor relations.

Subd. 6. Grants not to be considered income. Prohibits grants awarded under this section from being considered income, assets, or personal property for purposes of determining eligibility for various economic assistance and health care programs.

Subd. 7. Audits and recoupment. Allows the commissioner to perform an audit up to six years after a grant is awarded under this section to ensure the grantee used funds solely for allowed purposes, was truthful when making attestations, and complied with the conditions of receiving a workforce incentive grant. Allows the commissioner to treat any amount used for a purpose not authorized under this section as an overpayment and requires the commissioner to recover overpayments.

Provides a July 1, 2022, effective date.

4 **Eligibility for funding for services for nonmedical assistance recipients.**

Amends § 256B.0913, subd. 4. Specifies the monthly service limit for individuals participating in consumer-directed community supports (CDCS) under alternative care.

Provides a January 1, 2023, effective date.

5 **Services covered under alternative care.**

Amends § 256B.0913, subd. 5. Makes a conforming change related to the monthly service limits for individuals participating in CDCS under alternative care.

Provides a January 1, 2023, effective date.

6 **ICF/DD rate increases effective January 1, 2023.**

Amends § 256B.5012, by adding subd. 19. For the rate period beginning January 1, 2023, requires the commissioner to increase operating payment rates for each

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	facility equal to five percent of the operating payment rates in effect on December 31, 2022. Specifies how the commissioner shall apply the rate increase.
	Provides a January 1, 2023, effective date, or 60 days following federal approval, whichever is later. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
7	Payment rates; component values. Amends § 256B.851, subd. 5. Modifies the implementation components for PCA services, CFSS, enhanced rate PCA services, enhanced rate CFSS, qualified professional services, and CFSS worker training and development under the PCA/CFSS payment rate methodology. Provides a January 1, 2023, effective date, or 60 days following federal approval, whichever is later. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.
8	Duties of commissioner. Amends § 256D.051, subd. 22. Allows public and nonprofit postsecondary institutions to provide SNAP employment and training program services.
9	Foster care limit. Amends § 256S.15, subd. 2. Makes a conforming cross-reference change. Provides a January 1, 2023, effective date.
10	Monthly case mix budget caps for consumer-directed community supports. Amends § 256S.18, by adding subd. 3a. Modifies case mix budget caps for CDCS under the elderly waiver payment methodology. Provides a January 1, 2023, effective date.
11	Calculation of monthly conversion budget caps. Amends § 256S.19, subd. 3. Modifies conversion budget caps for individuals participating in CDCS under the elderly waiver. Provides a January 1, 2023, effective date.
12	Rate setting; application. Amends § 256S.21. Makes technical changes.

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13	<p>Phase-in for elderly waiver rates.</p> <p>Amends § 256S.2101, subd. 2. Modifies the elderly waiver payment rate phase-in under the new rate-setting methodology.</p> <p>Provides a January 1, 2023, effective date.</p>
14	<p>Phase-in for home-delivered meals rate.</p> <p>Amends § 256S.2101, by adding subd. 3. Establishes a separate phase-in rate for home-delivered meals under elderly waiver, alternative care, and essential community supports.</p> <p>Provides a January 1, 2023, effective date.</p>
15	<p>Updating service rates.</p> <p>Amends § 256S.211, by adding subd. 3. Requires the commissioner to recalculate elderly waiver service rates and component rates for inflation beginning January 1, 2023, and every two years thereafter.</p> <p>Provides a January 1, 2023, effective date.</p>
16	<p>Updating the home-delivered meals rate.</p> <p>Amends § 256S.211, by adding subd. 4. Requires the commissioner to annually update the home-delivered meals rate by the percent increase in the nursing facility dietary per diem using the two most recent and available nursing facility cost reports.</p> <p>Provides a July 1, 2022, effective date.</p>
17	<p>Rate setting; base wage index.</p> <p>Amends § 256S.212. Modifies base wage calculations for various positions and establishes a base wage calculation for adult day services under the elderly waiver payment rate methodology.</p> <p>Provides a January 1, 2023, effective date.</p>
18	<p>Rate setting; factors and supervision wage components.</p> <p>Amends § 256S.213. Modifies the general and administrative factor and program plan support factor under the elderly waiver payment rate methodology. Modifies terminology. Establishes a facility and equipment factor; food, supplies, and transportation factor; supplies and transportation factor; and an absence factor.</p> <p>Provides a January 1, 2023, effective date.</p>

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19	<p>Rate setting; adjusted base wage.</p> <p>Amends § 256S.214. Modifies the adjusted base wage calculation under the elderly waiver payment rate methodology.</p> <p>Provides a January 1, 2023, effective date.</p>
20	<p>Rate setting; component rates.</p> <p>Amends § 256S.215. Modifies various component rate calculations under the elderly waiver payment rate methodology.</p> <p>Provides a January 1, 2023, effective date.</p>
21	<p>Workforce incentive fund grant payments.</p> <p>Amends § 290.0132, by adding subd. 31. Makes the amount of workforce incentive grants a subtraction under individual income tax provisions.</p> <p>Makes this section effective for taxable years beginning after December 31, 2021.</p>
22	<p>Income.</p> <p>Amends § 290.0674, subd. 2a. Modifies the definition of “income” under the statute governing the Minnesota education credit to exclude workforce incentive grants.</p> <p>Makes this section effective for taxable years beginning after December 31, 2021.</p>
23	<p>Income.</p> <p>Amends § 290A.03, subd. 3. Modifies the definition of “income” under the chapter of statutes governing property tax refunds to exclude workforce incentive grants.</p> <p>Makes this section effective for refunds based on rent paid in 2022 and property taxes payable in 2023.</p>
24	<p>Base wage index; calculations.</p> <p>Amends Laws 2022, ch. 33, § 1, subd. 5a. Modifies the base wage index calculation for positive supports professional staff under the Disability Waiver Rate System.</p> <p>Provides a January 1, 2023, effective date, or 60 days following federal approval, whichever is later. Requires the commissioner of human services to notify the revisor of statutes when federal approval is obtained.</p>
25	<p>Appropriation; on-site workforce support services at postsecondary institutions.</p> <p>Appropriates \$100,000 in fiscal year 2023 from the general fund to the commissioner of human services for planning necessary to develop an on-site workforce support services program at postsecondary institutions to support the placement of</p>

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	workforce services at Minnesota State campuses to increase the number of low-income students and students of color participating in SNAP who successfully complete degrees and transition to employment after degree completion. Specifies the services that must be included. Establishes base appropriations for fiscal years 2024 and 2025.
26	Appropriation; behavioral health peer training. Appropriates \$1,000,000 in fiscal year 2023 from the general fund to the commissioner of human services for training and development for mental health certified peer specialists, mental health certified family peer specialists, and recovery peer specialists. Allows training and development to include initial training and certification. Specifies this appropriation is ongoing.
27	Appropriation; mid-skilled health care occupations. Appropriates \$1,911,000 in fiscal year 2023 from the general fund to the commissioner of human services to support demonstration sites that deliver wrap-around workforce services and household economic support. Requires the commissioner to work with postsecondary institutions to support adults receiving SNAP or MFIP assistance in obtaining postsecondary degrees affiliated with health care occupations. Requires demonstration sites to be evenly divided between greater Minnesota and the Twin Cities metro area and to include at least one Tribal site. Establishes base appropriations for fiscal years 2024 and 2025. Specifies this appropriation is available until June 30, 2026.
28	Appropriation; online tool accessibility and capacity expansion. Appropriates \$395,000 in fiscal year 2023 from the general fund to the commissioner of human services to expand the capacity and accessibility of online tools for people receiving services and direct support workers. Establishes base appropriations for fiscal years 2024 and 2025.
29	Appropriation; systemic critical incident review team. Appropriates \$500,000 in fiscal year 2023 from the general fund to the commissioner of human services to implement the systemic critical incident review process. Establishes base appropriations for fiscal years 2024 and 2025.
30	Repealer. Repeals Minn. Stat. § 256S.19, subd. 4 (calculation of monthly conversion budget cap with consumer-directed community supports), effective January 1, 2023.



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