

Position Statement

For 2022 Session

Waiver Reimagine Services and the Unitary Residency Statute

Proposal

Issue:

With the change to Waiver Reimagine, there are new services being offered that do not currently align with the language in Statute 256G, Minnesota Unitary Residence and Financial Responsibility Act. Without clarity in this language, counties are unsure as to whether or not these new services are considered excluded time services or not. With some language changes to the statute, there can be a uniform process for determining county of responsibility for new services that have been, and may continue to be developed with Waiver Reimagine.

Implementation Strategy:

Currently, Statute 256G defines excluded time based on the location of where a person lives or by a specific service they receive. With the trend toward more independent living settings, there are a greater variety of settings clients are able to choose from. A new Waiver Reimagine service is integrated community supports (ICS) and references adults who reside in a living unit of a provider-controlled ICS setting. For all practical purposes counties would consider this service to be provided in an excluded time setting. 256G.02 references 245A.02 which describes residential programs that are excluded time. The language is confusing as to whether or not ICS services are excluded time or not and we would like to have this language clarified.

DT&H (Day Training and Habilitation) was a service provided to clients on a DD waiver or in an ICF/DD. Waiver Reimagine removes this service option under the waivers and now has a new service called Day Supports. DT&H was always an excluded time service and the counties would continue to see this new service, day supports, being considered excluded time. This also is not clearly defined in statute and MACCSA members would request this be done. It is anticipated that by clarifying this language in 256G Statute it would result in minimal changes to our current understanding of excluded time services. By taking no action, ICS services would remain unclear and day support services would become non-excluded services and could result in significant transfers of CFR and changes to current case management caseloads.

Systemic Priority Alignment (highlight all that apply and explain why)

- Equity
- Integrated Services
- Fiscal Framework

From the GARE Toolkit (See www.racialequityalliance.org): What are the racial equity impacts of this particular decision? Who will benefit from or be burdened by it? Are there strategies to mitigate unintended consequences?

Comments:

Relevant Committee

(highlight all that apply and explain why)

- **Adult Services**
- Behavioral Health
- Children's Services
- Equity
- Healthcare
- Modernization
- Policy
- Self-Sufficiency

Why:

Rationale/Background:

The intention of this proposal is to work toward an alignment of the new Waiver Reimagine services with the current statute 256G that governs the county of financial responsibility for certain settings and services. At this time the language is not clear in determining CFR for the new residential service, Integrated Community Supports and the day service called Day Supports. Without clarification, this could affect transfers of multiple cases across state lines and create an issue with hub counties who may not be able to handle a potential influx of cases.



Submitted by: Barb Dietz, Jackie Ochs, Tony Masters, Jerry Pederson, Louella Kaufer

Approved on: