

LEGISLATIVE SUMMARY REPORT



2024

Dear ARRM Members,

2024 was supposed to be “a quiet year” at the State Capitol, but in true “Minnesota Politics” fashion, it was anything but boring.

In 2023, with control of the Minnesota House of Representatives, the Minnesota Senate (albeit by a razor thin, one seat majority) and the Governor’s office, DFL state legislators passed the largest budget in state history. Large investments were made in education, human services, and the environment. However, shaky financial forecasts in late 2023 snuffed out many high hopes for additional spending in the 2024 Legislative Session, with most political prognosticators agreeing that a capital investment bill, also known as a bonding bill, would be the only “big ticket” item likely to pass.

In preparation for the 2024 Legislative Session, ARRM and our member-led committees rolled up their sleeves to craft a lengthy list of policy provisions. These provisions were aimed at easing workforce shortages in disability services, cleaning up outdated regulations, and growing the use of critical tools, like assistive technology.

Against the backdrop of an unpredictable and fast-moving session came more than 1,000 self-advocates, Direct Support Professionals, site managers and member organization leadership to advocate for ARRM’s legislative agenda during Disability Services Day at the Capitol. These collective voices continue to be ARRM’s most impactful and influential lobbying tool.

Despite unforeseen hurdles and final hour theatrics in the House and Senate, ARRM was able to deliver on a number of important policy provisions, including preemption of local rental license regulations on residential settings, streamlining and standardizing the use of technology services, and allowing more staff to be able to pass medications. We invite you to learn more in the pages ahead.

On to 2025,



Sue Schettler

Sue Schettler
ARRM CEO



Sara Grafstrom

Sara Grafstrom
Senior Director,
State and Federal Policy





HUMAN SERVICES

City Licensing Regulation Changes for 245D and 144G Homes (ARRM LEGISLATIVE PRIORITY):

Language was added to statute that exempts Community Residential Settings and assisted living facilities with a licensed capacity of 6 or fewer persons from any rental licensing regulation imposed by any town, municipality or county.

- Effective Date: The date following enactment (immediately)
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Sections 1 and 2

Authorization of Technology Services (ARRM LEGISLATIVE PRIORITY):

New requirements state that Lead Agencies must not implement additional requirements, in addition to those required by the commissioner, that could result in the delay of approval or implementation of technology. The language also creates timelines for the approval or denial of technology, requiring notice within 30 business days of the initial request.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Sections 15 and 16

Designated Coordinator and Designated Manager Qualification Changes (ARRM LEGISLATIVE PRIORITY):

The qualifications for the Designated Coordinator and Designated Manager were modified, adding allowable degree fields and experience.

Changes include:

- Designated Coordinator: Education and Health were added to the list of allowable degree fields.
 - Designated Coordinator: “Equivalent work experience providing care or education to vulnerable adults or children” was added to the allowable work experience.
 - Designated Managers: Three years of supervisory experience can now be obtained at a “program that provides care or education to vulnerable adults or children.”
- Effective Date: August 1, 2024
 - Bill Reference: SF 4399, 3rd Engrossment, Article 1, Sections 5 and 6



HUMAN SERVICES

Assessment and Initial Service Planning Technical Changes (ARRM LEGISLATIVE PRIORITY):

Technical changes were made to all references to the 45-day meeting, clarifying that the meeting must happen within 45 days of service or 60 calendar days, whichever is shorter.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Sections 3 and 4

SLF to CRS Conversion (ARRM LEGISLATIVE PRIORITY):

New language creates a licensing moratorium exception and Community Residential Setting Capacity exception for individuals transitioning from the closure of a supervised living facility that is not designated as an Intermediate Care Facility, into a Community Residential Setting. The exception allows for the creation of 5 or 6-person CRS and is available until June 30, 2025.

- Effective Date: August 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 4 and 5

Own Home Services Provider Capacity-Building Grants (ARRM LEGISLATIVE PRIORITY):

Approximately \$1.6 million is designated to establish a new grant program that is designed to support individuals to move out of congregate living settings and into their own homes.

Grant dollars can be used in the following ways:

- Enhancing resources and staffing to support people and families in understanding housing options
 - Housing expenses related to moving, if the person is not eligible for other available housing services
 - Moving expenses not covered by other housing services
 - Implementing and testing innovative approaches to better support people living in their own home
 - Financial incentives for providers that have successfully moved an individual out of a congregate setting and into their own home
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- Effective Date: July 1, 2024, grant dollars expire June 30, 2026
 - Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 46



HUMAN SERVICES

Staff Qualifications for 16 and 17-year-olds (ARRM LEGISLATIVE PRIORITY):

Language prohibiting 16 and 17-year-olds from passing medication was removed from statute.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 7

Direct Care Reimbursement in Acute Care Hospital Stays (ARRM LEGISLATIVE PRIORITY):

A new unit-based service is created to allow for direct care to be reimbursed during acute care hospital stays.

The service must:

- be identified in an individual's person-centered support plan
 - be provided to meet the needs of the person that are not being met through the provision of hospital services
 - not substitute services that the hospital is obligated to provide
 - be designed to ensure smooth transitions between acute care settings and home and community-based settings.
- Effective Date: January 1, 2025, or upon federal approval, whichever is later.
 - Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 36

Positive Support Analyst Qualifications:

Nursing has been added to the allowable baccalaureate degrees for Positive Support Analysts. Additionally, the needed supervised experience conducting functional behavior assessments was lowered from four years to two years.

- Effective Date: July 1, 2024, or upon federal approval, whichever is later.
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 8



HUMAN SERVICES

Positive Support Specialist Qualifications:

Nursing has been added to the allowable associate degrees needed to qualify to become a Positive Support Specialist.

- Effective Date: July 1, 2024, or upon federal approval, whichever is later.
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 9

License Holders Reporting Service Suspensions and Terminations:

Language has been added to MN Statute 245D.10 requiring license holders to use forms provided by the commissioner to report service suspension and service terminations.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 10

Informed Choice and Technology Prioritization in Implementation for Disability Waiver Services:

New language states that prior to the commissioner offering or reauthorizing services that utilize direct support staff individuals must be given an opportunity to choose assistive technology, remote support, or both.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 17

Data Collection for Rate Determination:

Clarifying language that states that Lead Agencies must use forms provided by the commissioner to collect information from providers to determine and calculate individual rates.

- Effective Date: January 1, 2025
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 18



HUMAN SERVICES

Waiver Reimagine and Informed Choice Stakeholder Consultation:

Language has been added to the Waiver Reimagine Advisory Committee language, clarifying that the commissioner must be collaborating with stakeholders concerning the development and implementation of Waiver Reimagine Phase II. Language was also created that states the commissioner must consult with, seek input and assistance from, and collaborate with stakeholders concerning the implementation and revisions of MnCHOICES 2.0 assessment tool. Additionally, the assistant commissioner of aging and disability services is now required to attend and participate in meetings of the Waiver Reimagine Advisory Committee and the role of MnCHOICES 2.0 assessment tool in determining service needs and individual budget ranges must be included in the advisory committee's required report.

- Effective Date: August 1, 2024
- Bill Reference: SF 4399, 3rd Engrossment, Article 1, Section 28

MnCHOICES Assessor Qualifications:

Changes were made to the qualifications of a MnCHOICES Assessor, removing the requirements that the Assessor have at least two years of home and community-based experience.

- Effective Date: July 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 14

MnCHOICES Assessment Timelines:

Language changes the timeline that consultation team must visit someone requesting a long-term care consultation from 20 calendar days to 20 working days. Changes were also made to the timeline that an assessment is valid, allowing the validity to last 365 days, the previous timeline was 60 calendar days.

- Effective Date: The change from 20 calendar days to 20 working days is effective July 1, 2024, the validity timeline change is effective July 1, 2025
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 15 and 16

Transitional Supports Allowance Increase:

The Transitional Supports allowance is increased from \$3,000 to \$5,000.

- Effective Date: January 1, 2025, or upon federal approval, whichever is later.
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 40



HUMAN SERVICES

Legislative Task Force on Guardianship:

Legislation established a legislative task force on guardianship with the duty of making recommendations to address concerns and gaps related to guardianship and less restrictive alternatives to guardianship in Minnesota. The task force must submit a report no later than January 15, 2027.

- Effective Date: The date following enactment (immediately)
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 39

Disability Services Person-Centered Engagement and Navigation Study:

Language directs the commissioner of human services to issue an RFP for the design and administration of a study of a person's experience in accessing and navigating a medical assistance state plan, and home and community-based waiver services and state-funded disability services. The commissioner must report the results of the study and provide specific recommendations by January 15, 2026.

- Effective Date: July 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 1, Section 44

Long-Term Services and Supports Loan Program:

Eligibility for a loan program, previously only available to distressed nursing facilities, is now open to additional long-term services and support programs including home and community-based services under 245D. The loan is only available to programs that are at risk of closure.

- Effective Date: July 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 2, Section 16

Human Services Response Contingency Account:

\$4 million is allocated to the creation of a new Human Services response contingency account. This special revenue account can be used by the commissioner of human services to respond to emerging or immediate needs related to support the health, welfare, or safety of people.

- Effective Date: July 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 7



HUMAN SERVICES

Dakota County Disability Services Workforce Shortage Pilot Project:

\$500 thousand in fiscal year 2025 is granted to Dakota County to develop innovative solutions to the disability services workforce shortage. Up to \$250 thousand of the grant must be used to develop and test an online application for matching requests for services from people with disabilities to available staff and up to \$250 thousand must be used to develop a community-for-all program that engages businesses, community organizations, neighbors and informal support systems to promote community inclusion. These grant dollars are available until June 30, 2027.

- Effective Date: July 1, 2024
- Bill Reference: SF 5335, 4th Engrossment, Article 8, Section 2, Subdivision 14 (b)

PERSONNEL & BENEFITS

Earned Sick and Safe Time Modifications

Eligible Use: Language will now allow the need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member as an eligible use of earned sick and safe time.

- Effective Date: Date following enactment
- Bill Reference: HF 5247, 4th Engrossment, Article 11, Section 9

Employer Records and Required Statement to Employees:

Language requires that at the end of each pay period, the employer shall provide, in writing or electronically, information stating the employee's current amount of earned safe and sick time hours available to the employee. Language also requires all records required under the emergency safe and sick time statute to be kept for three years and all records required must be readily available for inspection by the commissioner upon demand, within 72 hours.

- Effective Date: July 1, 2024
- Bill Reference: HF 5247, 4th Engrossment, Article 11, Section 12

Paid Family Leave

- Appeals: Language is established to allow for the appeal of a determination that the applicant disagrees with.
 - Effective Date: November 1, 2025
 - Bill Reference: HF 5247, 4th Engrossment, Article 73, Section 23
- Premium Rate Adjustments: Changes have been made to how the commissioner establishes the premium rate for Paid Family Leave.
 - Effective Date: The day following enactment (immediately)
 - Bill Reference: HF 5247, 4th Engrossment, Article 73, Section 42



PERSONNEL & BENEFITS

Minimum Wage Changes:

Several changes were made to the minimum wage law in Minnesota. Exemptions for hotels or motels, lodging establishments, resorts, small employers, and employers employing someone under the age of 18 were removed from law. Additionally, the percentage used to calculate the annual minimum wage increase was changed from 2.5% to 5%.

- Effective Date: Changes to the exemptions are effective January 1, 2025. Changes to the percentage used to calculate the minimum wage increase is effective August 1, 2024.
- Bill Reference: SF 3852, 3rd Engrossment, Article 6, Sections 1-3

Salary Ranges Required in Job Postings:

New language requires employers to now disclose in each posting for each job the starting salary range and a general description of all the benefits and other compensation. The salary range must not be open-ended and an employer that does not plan to offer a salary range must list a fixed pay rate.

- Effective Date: January 1, 2025
- Bill Reference: SF 3852, 3rd Engrossment, Article 7, Section 2



DHS LICENSING CHANGES

Change in Ownership:

Language clarifies that a new license application is not required if at least one controlling individual has been affiliated as a controlling individual for the license for at least the 12 months immediately preceding the change.

- Effective Date: January 1, 2025
- Bill Reference: HF 5247, 4th Engrossment, Article 62, Section 2

Emergency Change in Ownership:

New statute is established to create a process for the emergency change in ownership in the event of the death of a license holder or sole controlling individual or a court order or other event that results in the license holder being inaccessible or unable to operate the program or service.

- Effective Date: January 1, 2025
- Bill Reference: HF 5247, 4th Engrossment, Article 62, Section 4

Emergency Overdose Treatment:

Changes were made to the requirements around storage and staff training for certain DHS-licensed programs required to maintain a supply of opiate antagonists.

Changes include:

- Emergency opiate antagonist medications are not required to be stored in a locked area and staff and adult clients may carry this medication on them and store it in an unlocked location
- Training is not required to be done by a registered nurse or part of an accredited educational institution
- Effective Date: Day following enactment
- Bill Reference: HF 5247, 4th Engrossment, Article 62, Section 12

A blurred background image of emergency vehicle lights, with a prominent blue light on the right and red lights on the left.

BILLS OF INTEREST

Mental Health or Health Crisis Calls Preemption:

Language states that an individual cannot be evicted or charged a fee to their landlord if the resident is calling for police or emergency assistance in response to a mental health or health crisis.

- Effective Date: August 1, 2024
- Bill Reference: SF 3492, 4th Engrossment, Article 1, Section 16

Employee Misclassification Prohibited

Amends the employee misclassification statute, which protects employees from being improperly classified as independent contractors. Additional enforcement mechanisms and penalties for the misclassification of an employee include:

- Holding an owner, partner, principal, member, officer, or agent of a company personally liable for “knowingly or repeatedly” misclassifying an employee.
- Allows for compensatory damages to the individual who has been misclassified which may include supplemental pay, overtime, shift differentials, vacation pay, sick pay, and other employee benefits that the employee may have missed out on due to misclassification.
- Allows for a penalty up to \$10,000 for each individual the company failed to classify correctly, a \$10,000 penalty for each statutory violation, and a \$1,000 per-day penalty for failure to cooperate with the commissioner’s investigation.
- Effective Date: July 1, 2024
- Reference: HF 5247, 4th Engrossment, Article 10

Minnesota Human Rights Act- Freedom from Discrimination

The MN Human Rights Act’s definition of disability has been updated to include “impairment that is episodic or in remission and would materially limit a major life activity when active.”

- Effective Date: August 1, 2024
- Reference: HF 4109, 1st Engrossment, Section 1