



S.F. No. 3898 – HCBS MODIFICATIONS AND DISABILITY WAIVER REGULATIONS INTERPRETIVE GUIDELINES ISSUANCE

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S.F. 3898 modifies certain home and community-based service standards under Chapter 245D, requires the Commissioner of Human Services to issue certain interpretive guidelines, and limits a lead agency’s authority to request documentation not required under statute when considering a renewal of a disability rate exception.

Section 1 amends **245D.09, subdivision 5 - Annual training**, by granting a licensed provider of home and community-based services a 90-day grace period for its staff to complete annual training.

Section 2 amends **245D.095, subdivision 3 - Service recipient record**, by limiting the requirement that a provider maintain copies of progress review reports, progress notes, and daily log notes to providers of home and community-based intensive services.

Section 3 adds **256B.04, subdivision 28 - Interpretive guidelines for disability waiver regulation**, which requires the commissioner of human services to publish timely interpretive guidelines of changing statutes, rules, regulations, and case law related to providing and billing for home and community-based services. The language in this bill mirrors very similar language that appears in the DHS licensing statutes, except this language imposes a duty on the commissioner and this language is not limited to guidelines regarding licensing.

Section 4 amends **256B.4914, subdivision 14a - Limitations on rate exceptions for residential services**, by limiting a lead agency’s authority to request documentation not required under statute when considering a renewal of a disability rate exception.

