Uniform Service Standards: Clarify mental health regulations

Issues:

- Regulations for mental health services are complex and confusing, with multiple requirements in state law, rules and other authorities. Some regulations date back to the 1950s.
- Basic requirements for similar services can vary without a clear justification. For example, Minnesota laws, rules and variances contain 47 different definitions of “Mental Health Professional.”
- Within DHS, areas such as provider enrollment, behavioral health and licensing may conduct similar reviews of the same providers at different times, leading to significant costs and confusion for providers.
- The overlapping regulations hamper the Department of Human Services’ ability to regulate services effectively and support providers in delivering high-quality care.

Proposal:

Governor Tim Walz’s budget includes the following proposal:

- Reform and simplify regulations for state-funded mental health services.
- Align standards for different services, eliminating requirements that fail to add value or enhance quality. This includes provider qualifications and standards for diagnostic assessments and treatment planning.
- Repeal outdated rules for outpatient mental health services. Codify the rules that remain relevant.
- Clarify when mobile crisis teams are expected to respond.
- Plan a unified licensing structure for state-funded mental health services that incorporates all licensed and certified services.

Benefits:

- Providers will understand the regulations that apply to their services.
- Providers will be able to design common workflows for staff, electronic medical records and compliance.
- Providers will have time to build trust with patients before requesting sensitive information. Providers serving racial and ethnic communities will have more trust with clients when they ask for information. These changes will result in higher-quality services and more equity in service delivery.

Fiscal impact:

- Invests $1.2 million in FY 2020-21 and $741,000 in FY 2022-23

DHS Communications: March 2019