Health Regulation Division

About the Division

The Health Regulation Division (HRD) supports the MDH mission through monitoring compliance with laws and rules designed to protect the health and safety of Minnesota’s nursing home residents, home care clients, hospital patients, health maintenance organization enrollees, clients of certain allied health professional groups and those involved in the disposition of the deceased.

The quality of these services for consumers is regulated through the credentialing of health occupations, on-site surveys and audits of facilities and organizations, complaint investigations, employee background checks, level of care assessments, physical plant plan reviews, and consultation and education.

The division’s activities are primarily regulatory in nature and are based on licensure laws contained in Minnesota Statutes and certification requirements under federal laws. With respect to federal laws, HRD is designated as the “state survey agency” under the federal Social Security Act. As such, HRD is responsible for performing federal oversight activities to assure health care facilities meet required standards before they may be certified to participate in the Medicaid and Medicare programs. HRD performs its Medicare functions under a contract with the federal Centers for Medicare and Medicaid Services (CMS) and Medicaid-related activities under a contract with the state Department of Human Services. Under the contractual relationships, HRD is required to enforce the regulations of the federal government as well as to conform to the federal program requirements.

Division Director’s Office

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Case Mix Review

- Case Mix Review is a system that classifies Medicaid-certified Nursing Home and Boarding Care Home residents into distinct groups, called Resource Utilization Groups (RUGs), based on the resident’s condition and the care the resident was receiving at the time of the assessment. These groups determine the daily rate the facility charges for the resident’s care. A value is assigned to each classification, which is then used to calculate the daily rate of payment.
- Conducts audits of facilities’ assessments to assure accuracy of payment classifications.
- Issues classification notices based on facilities’ assessments.

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Engineering Services

- Reviews and approves all architectural and engineering plans relating to new construction and/or modifications to existing health care facilities to ensure that facilities meet state and federal building and fire codes.
- Conducts on-site construction inspections to assure that projects are built in accordance with approved construction documents.

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Home Care and Assisted Living

- Licenses and oversees state-licensed Home Care providers including providers who serve individuals in their homes and communities, as well as Housing with Service and Assisted Living Establishments.
- Conducts surveys of providers and enforces compliance with state regulations and guidelines.
- Collaborates with statewide partners to improve the quality of services provided to individuals of any age and range from complex health care services to providing assistance with activities of daily living.

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Health Occupations Program

- Assures the competency and quality of services of the following allied health practitioners: audiologists, hearing instrument dispensers, occupational therapists and assistants, and speech-language pathologists.
- Assures that body artists have blood-borne pathogen training and supervised experience and that body art establishments meet inspection standards.
- Sets training and practice standards, investigates complaints, disciplines practitioners and educates consumers about their rights and options when utilizing these practitioners and services.
- Regulates unlicensed alternative and complementary health care practitioners using statutory and investigative authority.
- Maintains a registry of doulas certified by national organizations.
- Maintains a roster of Spoken Language Health Interpreters.
- Conducts occupational analysis studies of allied health practitioners.

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Licensing and Certification

- Licenses and oversees health care facilities, including nursing homes, boarding care homes, supervised living facilities, hospitals, ambulatory surgical centers, clinical labs, federally certified home health agencies, birth centers, housing with services, hospice, dialysis providers and other providers.
- Surveys providers and enforces compliance with federal and state regulations and guidelines.
- Maintains the Nursing Assistant Registry and oversees the quality of the nursing assistant training programs.
Oversees the clinical laboratory improvement act.

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**Managed Care Systems**
- Licenses and regulates nine health maintenance organizations (HMOs) and three county based purchasing entities; regulates essential community providers, accountable provider networks, health care cooperatives and health care purchasing alliances.
- Audits HMOs for compliance with statutes and rules governing quality of care, utilization review, availability and accessibility of services, and complaint/appeal procedures and practices.
- Under contract with the Department of Human Services, audits for compliance with federal law and requirements for Medical Assistance and MinnesotaCare plans.
- Contracts with the Department of Commerce to conduct financial audits and review annual financial reports.
- Investigates complaints filed by or on behalf of HMO enrollees and facilitates the external review program for enrollees.

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**Office of Health Facility Complaints**
- Investigates reports of maltreatment, in accordance with the Vulnerable Adults Act and other complaints of abuse, neglect, or maltreatment in licensed health care facilities.
- Investigates complaints in federally certified and state licensed facilities, including nursing homes and hospitals.
- Conducts reviews of requests for set asides of criminal/maltreatment incidences for individuals who request to work in licensed health care facilities.

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**Mortuary Science Program**
- Assures compliance with Minnesota’s laws concerning the licensure of morticians and funeral directors, funeral establishments and crematories.
- Regulates and enforces business practices and pre-need activity for cemeteries and all who sell funeral and burial site goods and services.
- Provides educational sessions for those involved in the disposition of the dead.
- Conducts consumer complaint review and resolution.

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