

1 **4659.XXXX UNIFORM CHECKLIST DISCLOSURE OF SERVICES**

2 **Subp. 1. Definitions.** “Uniform Checklist Disclosure of Services” or “checklist” means the checklist
3 provided by the department that a facility is required to provide to consumers to enhance their
4 understanding of services that are provided and not provided by the facility.

5 **Subp. 2. Commissioner Authority.** The commissioner shall have the authority to develop, revise, and
6 update the checklist on an as-needed basis.

7 **Subp. 3. Creation of Uniform Checklist Disclosure of Services.** The commissioner shall develop the
8 checklist in consultation with interested stakeholders, including but not limited to advisory councils and
9 ombudspersons.

10 **Subp. 4. Publication of Uniform Checklist Disclosure of Services.** The commissioner shall publish
11 the checklist on the department’s designated website.

12 **Subp. 5. Format of Uniform Checklist Disclosure of Services.** The information in the checklist must
13 be:

14 A. in writing; and

15 B. written in plain English;

16 **Subp. 6. Use of Uniform Checklist Disclosure of Services by Assisted Living Facilities.** An assisted
17 living facility shall:

18 A. provide the checklist to each individual who requests information about the facility;

19 B. provide the checklist separately from all other documents and forms to an individual;

20 C. orally explain the checklist to the individual or the individual’s legal representative or designated
21 representative in a manner the individual or representative understands; and

22 D. use the most recent version of the checklist published on the department’s designated website.

23 **Subp. 7. Acknowledgment of Uniform Checklist Disclosure of Services.** The checklist must be
24 signed by the individual or the individual’s legal representative or designated representative,
25 acknowledging that the individual or representative understands the content of the information.

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1 **Subp. 8. No Other Checklist May Be Used.** An assisted living facility may not use another form to
2 substitute for the checklist.

3 **Subp. 9. Elements of Uniform Checklist Disclosure of Services.**

4 A. The checklist must disclose the following:

5 1) a facility's licensure category, according to Minn. Stat. § 144G.10;

6 a) for assisted living facilities with dementia care licensure, whether the facility has a
7 secured dementia care unit;

8 2) staffing availability, including:

9 a) unlicensed health care staff availability;

10 b) licensed health care staff availability; and

11 c) numbers of staff on duty and/or on site throughout a 24-hour period that can respond to a
12 resident's care request;

13 3) types of licensed health care professionals and their respective availability to residents at the
14 facility;

15 4) types of unlicensed health care professionals and their respective availability to residents at
16 the facility;

17 5) whether the facility accepts Medicaid payment from new residents and whether residents
18 may continue to reside in the facility after they have exhausted their own personal private
19 funds;

20 6) whether the facility provides or does not provide each of the assisted living services outlined
21 in Minn. Stat. § 144G.08, subd. 9;

22 7) whether the facility provides or does not provide each of the supportive services outlined in
23 Minn. Stat. § 144G.08, subd. 68;

24 8) the location of dining services for residents in the facility;

25 9) facility and environment amenities including:

26 a) internet access;

- 1 b) chair glide system;
- 2 c) elevators;
- 3 d) emergency call system;
- 4 e) cable television;
- 5 f) emergency generator(s) to power the facility during power outages;
- 6 g) handrails; and
- 7 h) automatic electronic defibrillators;
- 8 10) disclosure whether the facility will arrange or coordinate hospice care for a resident upon
- 9 request; and
- 10 11) any additional elements determined by the commissioner.

11 **Subp. 10. Availability of Services from an Outside Service Provider.** The checklist must include a
12 statement that a resident may obtain services from an outside service provider at their own cost.

13 **Subp. 11. Facility Unable to Meet Resident’s Assessed Needs.** The checklist must include a statement
14 that when the resident’s assessed needs exceed the scope of services agreed upon in the assisted living
15 contract and are not included in the services the facility has disclosed in the checklist:

- 16 A. the resident has the right to purchase, contract for, or obtain services from a provider other than
17 the assisted living facility, according to Minn. Stat. § 144G.91, subd. 24; and
- 18 B. if the resident is unable to secure necessary services as described in Item A, the facility may
19 require the resident to move to another facility or care setting that is able to meet the resident’s
20 needs, in accordance with Minn. Stat. § 144G.52, subd. 5.

21 **Subp. 12. Reduction or Elimination of Services.**

- 22 A. The checklist must include a statement that a facility’s available services are subject to change.
- 23 B. The checklist must include a statement that a facility shall provide the resident with written 60
24 calendar days’ written notice of a reduction or elimination of one of the resident’s services,
25 according to Minn. Stat. § 144G.55, subd. 1(d).