



2026 Assisted Living Legislative Update

July 30, 2026

- Assisted Living Legislative Changes
- Vulnerable Adult & Maltreatment Legislative Changes
- Stratis Health Project Update



Disclaimer

- This overview is intended to highlight significant regulatory and operational changes that are most likely to impact MDH licensed assisted living providers and the residents they serve.
- This presentation is not intended to be an exhaustive summary of all legislation enacted during the 2026 session. It does not include provider enrollment, reimbursement, rate-setting, or payment-related provisions affecting providers that receive state funding.

2026 Minnesota Legislative Session: Key Policy Changes to Minnesota Statutes

The 2026 Minnesota Legislative Session resulted in several policy changes enacted into law that clarify existing provisions and modify requirements for health industries and professions regulated by the Health Regulation Division (HRD). Effective dates are provided. These summary highlights are not exhaustive and do not include all items passed under budget omnibus bills.

Grandparents' happy hour

[Chapter 48](#), Section 2 Modifies Minnesota Statutes 2025, section 340A.4015

- Effective date: Aug. 1, 2026
- Assisted living facilities and nursing home facilities are allowed to serve alcohol to residents without a liquor license if they meet certain criteria.

Regions exception to the hospital moratorium

[Chapter 91](#) Modifies Minnesota Statutes 2025, section 144.551

- Effective date: Aug. 1, 2026
- Allows Regions Hospital in Saint Paul to add 85 licensed beds.

Delete references to Chapter 144D

[Chapter 95](#), Article 3; sections 1, 3, 4, and 24-27 Modifies Minnesota Statutes, sections 144.56, 144.6502, 144A.104, 157.17, and 295.50

- Effective date: July 1, 2026

GovDelivery

On July 17, 2026, the Health Regulation Division (HRD) emailed a GovDelivery summary of key changes to Minnesota Statutes from the 2026 Minnesota legislative session to GovDelivery subscribers and licensees.

Website links to key statutory changes impacting HRD licensees were provided in this GovDelivery.

How can you find the legislative language reviewed today?

1. Visit the Office of the Revisor of Statutes website.
2. Enter the bill or statute number and click “GO”.
3. Click on “More info...” if there is messaging at the top of the page indicating *“this section has been affected by law enacted during the 2026 Regular Session”* to find recent statutory language changes.

Office of the Revisor of Statutes

Retrieve by number Statutes **GO** Statutes Laws Rules Court Rules Constitution Revisor's Office Search Law by K

[2025 Minnesota Statutes](#) > [HEALTH](#) > [Chapter 144G](#) > Section 144G.60

◀ [144G.57](#)

2025 Minnesota Statutes

This section has been affected by law enacted during the 2026 Regular Session. [More info...](#)

144G.60 STAFFING REQUIREMENTS.

Subdivision 1. **Background studies required.** (a) Employees, contractors, and regularly scheduled volunteers of the facility are subject to the background study required by section [144.057](#) and may be disqualified under chapter 245C. Nothing in this subdivision shall be construed to prohibit the facility from requiring self-disclosure of criminal conviction information.

(b) Data collected under this subdivision shall be classified as private data on individuals under section 13.02, subdivision 12.

(c) Termination of a staff member in good faith reliance on information or records obtained under this section regarding a confirmed conviction does not subject the assisted living facility to civil liability or liability for unemployment benefits.



Assisted Living Legislative Changes 144G

Chapter 144D References Deleted

Minn. Stat. 144.56, 144.6502, 144A.104, 157.17, and 295.50

- Deletes outdated references to Chapter 144D throughout Minnesota Statutes and replaces it with 144G when appropriate.

Effective date: July 1, 2026

Small Assisted Living Provider Changes

Minn. Stat. 144G.15

For applicants with six or fewer licensed resident capacity:

- MDH must consider community demographics before issuing a provisional license;
- MDH must not grant a provisional license until DHS determines the proposed location of the assisted living meets the standard in 245A.042, subd. 7 related to colocation;*

Effective: July 1, 2026

*DHS and MDH required to execute an interagency agreement to determine if a provisional applicant or relocating licensee meets the 245A.042, subd. 7 standards.

Notice to Municipalities

Minn. Stat. 144G.16

MDH must notify the municipality where the small ALF is located and provide the licensee's name, facility address, license, resident capacity, and contact information within 5-days of:

- Issuing a provisional license to an ALF with a licensed resident capacity of **six or fewer**; or
- Issuing an approval for license relocation.

Effective: July 1, 2026

Geography of Relocation Expanded

Minn. Stat. 144G.195, subd. 1



For assisted living facilities with 5 or fewer residents:

- Relocation expanded to the seven-county metro area rather than the same municipality or contiguous municipality, or two hours or 120 miles for licensees to relocate outside the seven-county metro area.
- MDH must approve or deny the license relocation within 30 calendar days after inspecting the building and receiving a determination from DHS regarding the location of the building.

Effective: July 1, 2026

Change of Ownership Responsibilities

Minn. Stat. 144G.19, subd. 6 & 144G.31, subd. 6

After a change of ownership, a new licensee is responsible for any outstanding fines and any fines assessed following the effective date of the change of ownership.

The new licensee is responsible for bringing the assisted living facility into compliance with all existing ordered, imposed, or agreed-upon corrections and conditions. The new licensee is also responsible for any outstanding fines and any fines assessed following the effective date of the change of ownership regardless of the date of the violation.

Effective: July 1, 2026.

Prohibited Condition For Admission or Continued Residence

Minn. Stat. 144G.505



Assisted living facilities are prohibited from requiring a current or prospective resident to have or obtain a guardian or conservator as a condition of admission to or continued residence in an assisted living facility.

Effective: July 1, 2026

Means to Request Assistance

Minn. Stat. 144G.41, subd. 1(5) & (12)

Statutory language effective prior to August 1, 2026:

All assisted living facilities shall:

“provide a means for residents to request assistance for health and safety needs 24 hours per day, seven days per week;”

Statutory language **effective August 1, 2026:**

All assisted living facilities shall:

“except as specified in subdivision 1c, provide a means for residents to request assistance for health and safety needs 24 hours per day, seven days per week. A facility may use person-centered strategies to provide a means for residents to request assistance and, if effective, may allow residents to use technological devices to request assistance.”

Alternative to summoning device to request assistance

Minn. Stat. 144G.41, subd. 1c

For a resident who, based on an individualized nursing assessment cannot reliably use a summoning device, such as a phone, bell, call light, pull cord, or pendant to request assistance for health and safety needs, a facility:

- Is not required to have a summoning device to request assistance for health and safety needs and
- Must use person-centered strategies to meet the resident's needs.

Effective: August 1, 2026

Addressing Medical and Nonmedical Situations

Minn. Stat. 144G.61, subd. 2

As of August 1, 2027, assisted living facilities must provide training and competency evaluations for unlicensed personnel to address specified medical and nonmedical situations. (Minn. Stat. 144G.61, subd. 2)

Facilities must ensure that one or more individuals who have completed the required training are available 24 hours per day, seven days per week, and are responsible for responding to resident requests for assistance related to health and safety needs. (Minn. Stat. 144G.41, subd. 14-16)

In addition, providers must maintain procedures to:

- Ensure facility staff immediately attend to resident needs during a medical emergency until emergency responders arrive, if emergency services have been summoned; and
- Ensure facility staff are able to respond to residents' nonemergency medical needs following a fall, including providing necessary life assistance.

Uniform Checklist Disclosure of Services

Minn. Stat. 144G.40, subd. 2

Assisted living facilities must already provide prospective residents with a written checklist identifying all services authorized under the facility's assisted living license and clearly indicate which services are offered and not offered under the facility's assisted living contract.

As of August 1, 2027, facilities must also notify prospective residents that the facility's most recent plan of correction is available for review and provide information on where residents and families may access additional quality and oversight information, including the websites for the Minnesota Department of Human Services (DHS) and the Minnesota Board on Aging Assisted Living Report Card.

Delegating Inspection Authority

Minn. Stat. 144G.45, subd. 3

For existing assisted living facilities with six or fewer residents:

- Upon request of a county or local unit of government, MDH may delegate to a county agency or local unit of government MDH's **authority to inspect an existing facility for compliance with applicable physical plant licensing and zoning ordinances.**
- MDH would need to execute a formal delegation agreement; MDH would be responsible for any costs incurred related to the inspections.

Effective: January 1, 2027

Imminent Risk Definition

Minn. Stat. 144G.08, subd. 26a

“Imminent risk” means an immediate and impending threat to the health, safety, or rights of an individual.

Effective: January 1, 2027



Restraint Definitions and Requirements

Prior to the 2026 legislative session, Minnesota Statutes Chapter 144G did not contain provisions specifically addressing the use of restraints in assisted living settings.

Effective January 1, 2027, Chapter 144G establishes a framework governing restraints in assisted living facilities, including:

- New statutory definitions for prone restraint and for chemical, manual, and mechanical restraints. (Minn. Stat. 144G.08)
- Training requirements for staff authorized to use emergency manual restraints. (Minn. Stat. 144G.65, subd. 1)
- Requirements governing the use of restraints, including prohibitions, limited exceptions, documentation requirements, and resident representative notification requirements. (Minn. Stat. 144G.85)

Small Assisted Living Facility Licensure Workgroup

The Commissioner of Health is required to convene an ALF work group to develop a new licensing category applicable to ALFs with a licensed resident capacity of five or fewer.

The new license must account for health and safety requirements and practical realities of operating small ALFs that predominantly serve individuals receiving customized living services under the federally approved brain injury, community access for disability inclusion, and elderly waiver plans.

MDH must develop draft legislative language to establish a new assisted living license category for assisted living facilities with a resident capacity of five or fewer residents and submit the draft legislation to the health and human services policy and finance chairs and members by **January 1, 2028**.



Vulnerable Adult & Maltreatment Legislative Changes

New Language for Sexual Abuse Definition

Minn. Stat. 626.5572, subd. 2(c)

Any contact with the vulnerable adult that is not therapeutic conduct, and a reasonable person would consider a sexual act or any nonconsensual sexual interaction with the vulnerable adult, including but not limited to:

- Making, viewing or sharing sexual images or videos with or of the vulnerable adult; and
- Using oral, written, gestured, or electronic communication that is sexually harassing, including but not limited to unwelcome sexual advances or requests for sexual favors.

Effective: July 1, 2026

Serious maltreatment definition changed

Minn. Stat. 245C.02, subd. 18



Financial exploitation of a vulnerable adult if the value of the funds or property is \$1,000 or greater.

A “serious maltreatment” finding against an individual may result in disqualification by DHS.

Effective: July 1, 2026

Common Entry Point Availability 24/7

Minn. Stat. 626.557, subd. 9

The common entry point must be available 24 hours per day to ~~take calls~~ accept reports from reporters of suspected maltreatment and make required referrals for suspected maltreatment of a vulnerable adult.

Effective: July 1, 2026

Definition of Investigation

Minn. Stat. 626.5572, subd. 12a



“Investigation” means “activities for fact gathering conducted by the lead investigative agency to make a final determination of maltreatment.”

Effective: July 1, 2026

Financial Management Added to Self-Neglect Definition

Minn. Stat. 626.5572, subd. 17(c)



“Self-neglect” means “neglect by a vulnerable adult’s own food, clothing, shelter, health care, financial management, or other services that are not the responsibility of a caregiver which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort.” (Minn. Stat. 626.5572, subd. 17(c))

Effective: August 1, 2026



Miscellaneous

Grandparents' Happy Hour

Minn. Stat. 340A.4015



Allows assisted living facilities and nursing home facilities to serve alcohol to residents without a liquor license if they meet certain criteria.

Requirement to appoint advisory members within 60 days

Minn. Stat. 144A.4799



The commissioner shall appoint members of the Home Care and Assisted Living Advisory Council within 60 days of receiving a qualified applicant.

Effective date: July 1, 2026

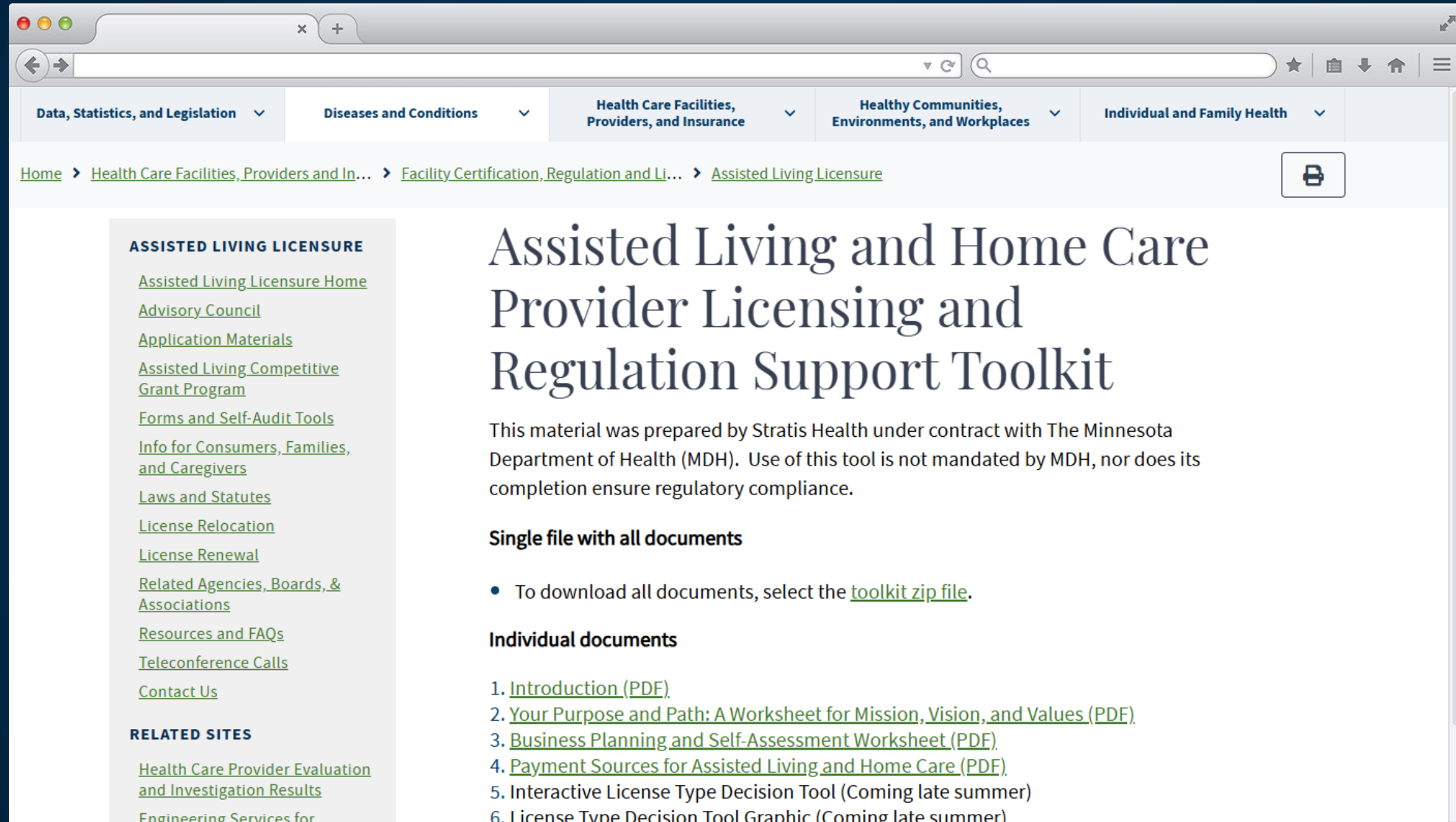


Stratis Health Project Update

New Licensing & Regulation Support Toolkit Available

- MDH and Stratis Health developed a new digital toolkit to support new and prospective applicants and current assisted living and home care providers in navigating licensing, operational, and regulatory requirements.
- The tools provided support survey readiness and ongoing compliance and can be used to reduce confusion, prevent errors, and plan next steps with confidence.
- [Assisted Living and Home Care Provider Licensing and Regulation Support Toolkit \(https://www.health.state.mn.us/facilities/regulation/assistedliving/toolkit.html\)](https://www.health.state.mn.us/facilities/regulation/assistedliving/toolkit.html)

AL and HC Licensing and Regulation Support Toolkit



The screenshot shows a web browser window displaying the Minnesota Department of Health website. The navigation bar includes categories like 'Data, Statistics, and Legislation', 'Diseases and Conditions', 'Health Care Facilities, Providers, and Insurance', 'Healthy Communities, Environments, and Workplaces', and 'Individual and Family Health'. The breadcrumb trail indicates the path: Home > Health Care Facilities, Providers and In... > Facility Certification, Regulation and Li... > Assisted Living Licensure. A print icon is visible in the top right corner.

ASSISTED LIVING LICENSURE

- [Assisted Living Licensure Home](#)
- [Advisory Council](#)
- [Application Materials](#)
- [Assisted Living Competitive Grant Program](#)
- [Forms and Self-Audit Tools](#)
- [Info for Consumers, Families, and Caregivers](#)
- [Laws and Statutes](#)
- [License Relocation](#)
- [License Renewal](#)
- [Related Agencies, Boards, & Associations](#)
- [Resources and FAQs](#)
- [Teleconference Calls](#)
- [Contact Us](#)

RELATED SITES

- [Health Care Provider Evaluation and Investigation Results](#)
- [Engineering Services for](#)

Assisted Living and Home Care Provider Licensing and Regulation Support Toolkit

This material was prepared by Stratis Health under contract with The Minnesota Department of Health (MDH). Use of this tool is not mandated by MDH, nor does its completion ensure regulatory compliance.

Single file with all documents

- To download all documents, select the [toolkit zip file](#).

Individual documents

- [1. Introduction \(PDF\)](#)
- [2. Your Purpose and Path: A Worksheet for Mission, Vision, and Values \(PDF\)](#)
- [3. Business Planning and Self-Assessment Worksheet \(PDF\)](#)
- [4. Payment Sources for Assisted Living and Home Care \(PDF\)](#)
5. Interactive License Type Decision Tool (Coming late summer)
6. License Type Decision Tool Graphic (Coming late summer)

Upcoming Training Dates

Digital Toolkit & Regulatory Guidance Form Trainings:

- Aug 13 @ 12:00 pm Live Education: *Assisted Living Forms & Tools*
- Aug 27 @ 12:00 pm Live Education: *Home Care Forms & Tools*
- Sep 17 @ 12:00 pm Live Education: *Fire Safety Evacuation Plans*

GovDelivery messages with links to the trainings will be sent prior to each training date.

Thank You!

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