

## Meeting Notes

### Home Care and Assisted Living Program Advisory Council

Date: Monday, December 2, 2019

Time: 2:00 pm – 4:00 pm

#### Attendees

**Council members:** Brady Birk, Tom Choinski, Rene Cronquist, Aisha Elmquist, Nancy Haugen, Susan Morgan, Jarrod Peterson

**Minnesota Department of Health (MDH):** Lindsey Krueger, Lari Anne Mazzitello

**Public:** 5 attendees in person

#### Council Information

Three council members' terms expire January 6, 2020. These positions are for one member representing the basic home care license level and two members representing the public. The Home Care and Assisted Living Program (HCALP) is reviewing applications to fill the positions.

#### Staffing

Staffing Update: HCALP is hiring additional staff to accommodate increased workloads. New positions include a licensing and enforcement supervisor, three licensing specialists, a survey scheduler and six surveyors.

#### Assisted Living Licensure

Ms. Lindsey Krueger discussed the progress on the new assisted living (AL) licensure. Her full presentation will be posted online at [Home Care Provider Advisory Council Meeting Minutes \(https://www.health.state.mn.us/facilities/regulation/homecare/advCouncil/minutes.html\)](https://www.health.state.mn.us/facilities/regulation/homecare/advCouncil/minutes.html)

Some highlights of the presentation include:

- Work on AL licensure began before 2017. The legislature passed new laws during the 2019 session. Draft rules are currently being worked on. A transition period will occur between 2019 and 2021. New AL laws and rules will become effective August 1, 2021.
- Currently, providers that offer assisted living services hold a comprehensive home care license plus a housing with services registration. In the future, providers will hold a single assisted living license. New AL providers will receive a provisional license for up to one year prior to being surveyed.

- Two categories of licensure will be available. Assisted living license and the assisted living license with dementia care.
- New requirements must be met for AL directors.
- Three main statutes govern home care and assisted living providers: 144A Home Care, 144D Housing with Services, and 144G Assisted Living.
- Assisted living with dementia care licensees will have to demonstrate capacity to provide services, take additional training, and must have an awake person at all times.

## Council discussion regarding assisted living rulemaking

Ms. Krueger led the council's discussion on AL rulemaking. All rulemaking meetings are open to the public and posted to the MDH website at [Assisted Living Licensure \(https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html\)](https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html). People may review documents related to AL licensure and rulemaking and/or submit comments or questions through the website. A phone number is also listed for direct contact with the department. Council discussion included the following:

- A uniform disclosure (UD) will supersede the Uniform Consumer Information Guide (UCIG) as a requirement for licensure, although providers may still complete the UCIG for advertising purposes.
- There is not a requirement for providers to submit UD's to the state, but new AL rules may require submittal. Suggestions included submittals to MDH, DHS, or the Senior Linkage Line.
- If UD's are submitted, how would the state manage them so consumers can search which AL facilities provide specific services? Suggestions included that providers could enter UD information directly into an online portal instead of by form.
- Consumers in crisis will need an easy method to check which providers offer which services. The ombudsman's office also recommended a central point to assist consumers who need services.

## Council discussion regarding recommendations

Ms. Krueger led the discussion on council recommendations to the commissioner to improve home care in Minnesota. The council discussed previous recommendations to the legislature from 2018 and 2019. The council requested more direction from the commissioner regarding types of recommendations that would have the most impact and best opportunity for implementation. For example: Should recommendations be restricted to projects with only a one-time cost? Or, can recommendations have ongoing or annual budget needs? The council is frustrated that past recommendations have not been developed or implemented and want to align recommendations with what the commissioner can implement. Other discussion includes:

- Improved communications to consumers
- Training portability for employees to transfer between providers more easily

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- Fingerprint and background check portability
- Home care career path instead of training portability to minimize job hopping
- Does the recommendation have to be acted on by MDH? Or can the recommendation be acted on in DHS? The answer was that only MDH has the authority to obligate and spend the funds.
- Referencing 2019's recommendation #3, the council asked if teachers are encouraging interest in working in the field of home care. The answer was that there is a limit on what can be included in any nursing curriculum based on the number of credits per course and the duration of the courses. Another answer stated that the Minnesota Home Care Association is working with colleges to develop an internship program.
- When the maltreatment compensation fund sunsets, can it roll into the home care special fund?

## Next steps

1) Council requested for additional work groups to be scheduled for the end of January into February. A doodle poll will be sent out to determine the best days, times, and locations for follow-up meetings.

2) Ms. Krueger recommended for the council to start with the 2018/2019 recommendations, determine what has changed, and add new recommendations accordingly.

3) FY20 Council meetings

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|----------|---------------|--------|---------------|--------------|
| ○ Monday | March 9, 2020 | 2-4 pm | Wilder Center | St. Paul, MN |
| ○ Monday | June 1, 2020  | 2-4 pm | Wilder Center | St. Paul, MN |

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01/24/2020