



# Home Care & Assisted Living Program Advisory Council Meeting

September 29, 2023 | 1:00 p.m. – 3:30 p.m.

# Meeting Agenda

Welcome/Housekeeping

Adoption of May Meeting Minutes

**Old Business :**

Advisory Council Vacancy Update  
Social Connections Grant Update  
Assisted Living Workgroup Update

**New Business:**

Advisory Council Recommendations Discussion  
MDH Correction Orders

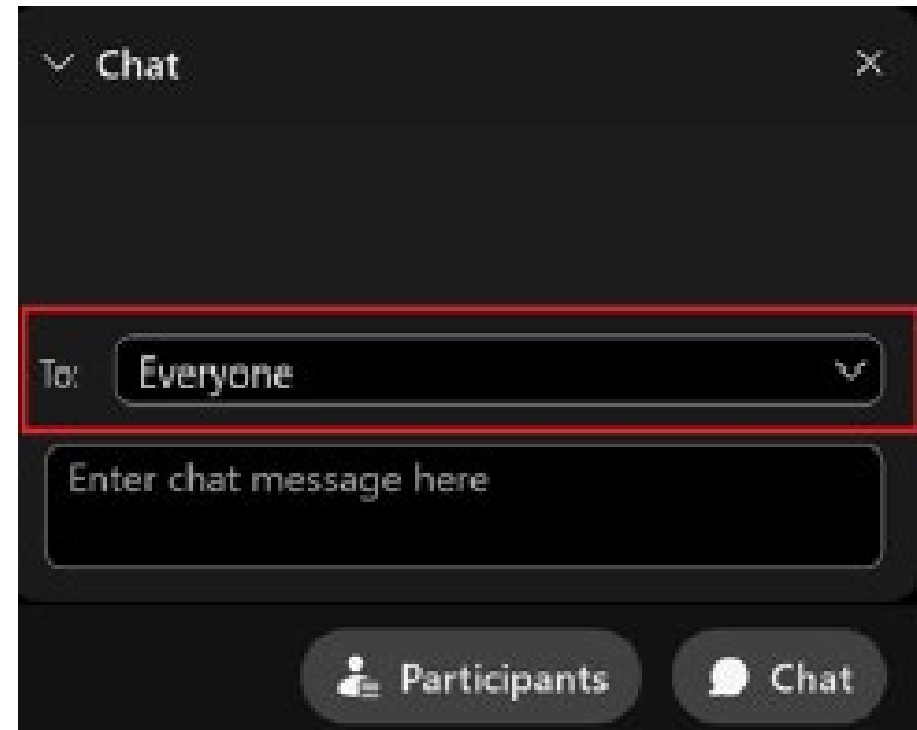
Next Meeting

Adjourn



# Webex Participants

- **Participants are muted.**
- **To ask a question**, click on the chat bubble to open the chat, select “Everyone”, and ask a question or provide a comment. Messages sent privately may not be addressed due to logistics.
- We will answer as many questions as we can at the end of our time today.



# Advisory Council Updates

## Welcome New Advisory Council Members!

MN Assisted Living Facility Licensee #1

- **Samiira Isse**

MN Assisted Living Facility Licensee #2

- **Anna Petersmeyer**

Person Who Has or Had a Family Member in an Assisted Living Facility Setting

- **Karen Webb**

Organization Representing LTC, Home Care, and Assisted Living Providers in MN

- **Michaun Shetler**

Ombudsmen for Mental Health and Developmental Disabilities

- **Andrea Strobel-Ayres**



# Advisory Council Vacancies

## Advisory Council Position Still Open:

- Member of a County Health and Human Services or County Adult Protection
- Past or Current Resident of an Assisted Living Facility
- Public Member #1 - Home Care (Current or Past Client or Current Family Member of Loved One Receiving HC or w/in 5 years)

# Social Connection Grants

The Advisory Council awarded **forty-four (44)** Social Connection Grants in the amount of **\$151,955.76** during the second round of grant submissions.

There were additional grant applications submitted, but those additional applications did not meet the grant criteria.

*\*Should MDH send a post-grant award survey to grant recipients on behalf of the Advisory Council to learn how the grants helped providers support residents/clients?*

# Assisted Living Workgroup Update





# Assisted Living Updates Workgroup

Assistant Division Director Lindsey Krueger  
September 27, 2023



# Assisted Living Updates Workgroup

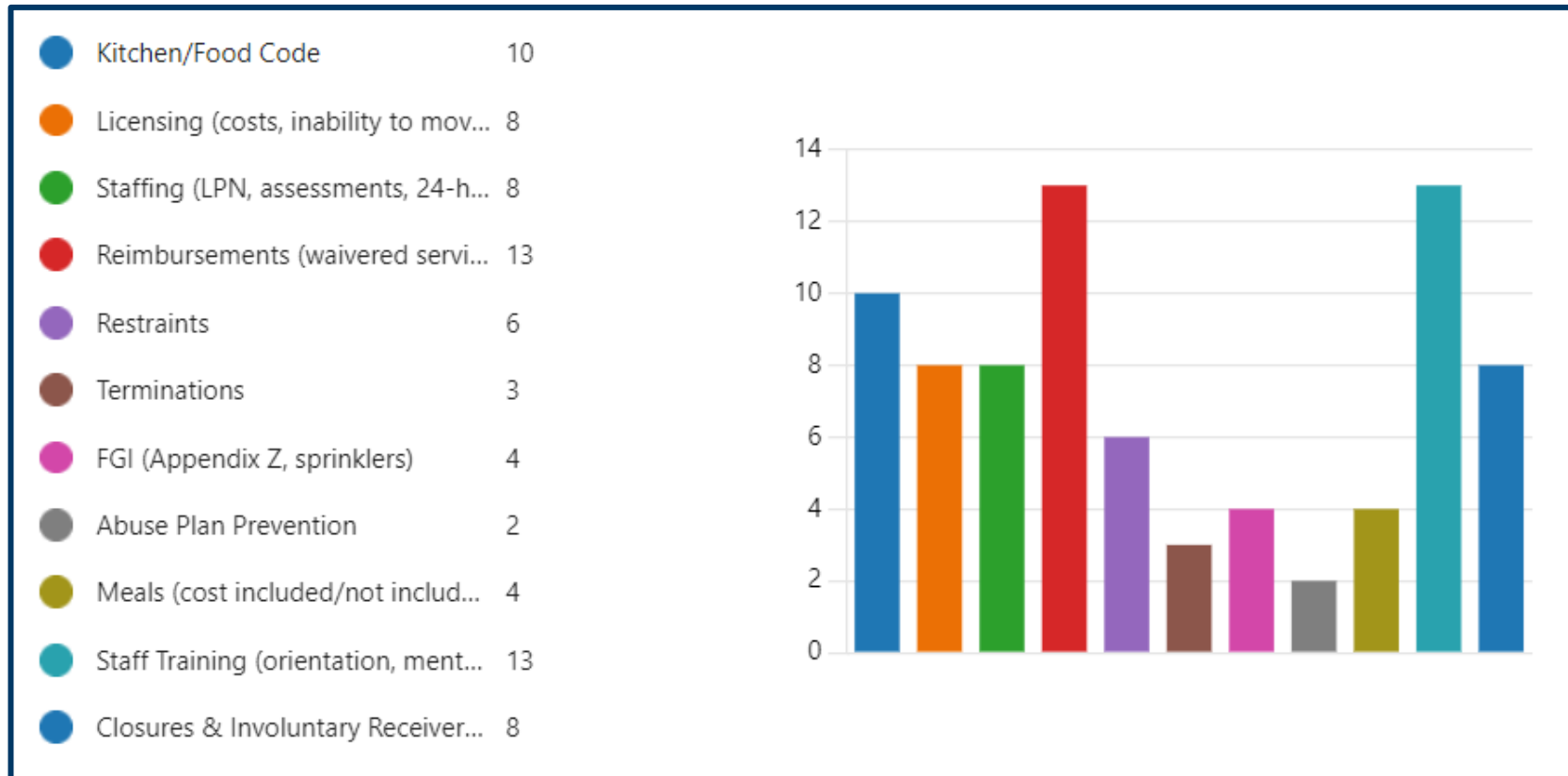
- Work began in March 2023
- Currently 33 workgroup members, which includes representation from:
  - Provider Organizations
  - Small Providers (1-5 & 6-10 cap.)
  - Consumer Advocates
  - Ombudsman Office's
  - DHS
  - University of Minnesota
  - Counties (St. Louis & Hennepin)
  - BELTSS
  - MDH

# Assisted Living Updates Workgroup

- Looking to develop recommended solutions with action plans to identified burdens
  - Action plans to include draft language, policy updates, process improvement recommendations, etc.
- Focus initially was on small, residential providers (capacity size of 5 or fewer residents) but has increased up to 10 or fewer residents due to language passed during 2023 session

# Assisted Living Updates Workgroup

- Identified areas of concern by workgroup members:



# Assisted Living Updates Workgroup

- Four sub-groups looked at the burden topics of:
  1. Reimbursement
  2. Licensing
  3. Kitchen/Food Code
  4. Training
- Problem statements identified
- Action plans developed

Reimbursements Subgroup Action Plan June 22, 2023					
<p><b>Problem Statement:</b> How can we align customized living payments under EW, CADI, and BI with the requirements of assisted living services that promotes equity and high quality of care and life for residents across the waiver programs?</p> <p>Idea: Update rate methods to include provider costs specific to assisted living license requirements that aren't currently considered (ex: staffing, LALD, 24-hour awake requirement, RN, food manager, annual renewal costs, etc.)</p>					
Goal/Objective	Tasks	People Responsible	Timing/Deadline	How to know success has been reached	Who else needs to authorize or be notified about this?
Are there comparable rates in other areas; look at other cost data  If requirements are added/removed, it changes the overall costs	Study/evaluation and rate methods – scope under 256S	DHS/2023 mandate	Report to legislature in 2026 and thereafter every two years	Report completed	Commissioner Stakeholders
Is there a way to distinguish between provider sizes?	Study the differences in costs in terms of provider size	DHS	Will incorporate into the larger study	Report completed	Commissioner Stakeholders
Get people talking and create accountability	Identify and define the missing elements	Amal Ahmed/Small providers	At least 2 meeting before the end of the year	Determining how to move forward with the conversation	Stakeholders State agencies
Provide technical assistance to groups that draft legislation	Potential legislation	DHS/MDH Legislature	Ongoing	Technical assistance has been provided	
Idea: Create a mechanism for ensuring customized living rates are reviewed and increased on a regular basis (automated inflation adjustments)					
Goal/Objective	Tasks	People Responsible	Timing/Deadline	How to know success has been reached	Who else needs to authorize or be notified about this?
Annual or biannual update of the base wages used for the rates (BLS data)	Legislative change/language change	DHS or other stakeholders/ Legislature	2024 session	Draft legislation Legislation passed	Commissioner Stakeholders CMS approval
Idea: Update rate methods to provide equity between EW and CADI/BI receiving customized living in assisted living					
Goal/Objective	Tasks	People Responsible	Timing/Deadline	How to know success has been reached	Who else needs to authorize or be notified about this?
Repeal the phase in for CADI/BI	Legislative change	Matthew Bergeron Legislature	2024 session	Draft legislation Legislation passed	Stakeholders

# Assisted Living Updates Workgroup

- Second round of sub-groups are looking at the burden topics of:
  1. Staffing
  2. Closures
  3. Physical Environment
- Problem statements identified
  - Example of staffing problem statement:

*For providers serving 10 residents or fewer, how can we ensure staffing requirements are attainable to implement; supports safe, competent care; and clarifies 144G regulations regarding licensed staff?*
- Action plans are being developed

# Assisted Living Updates Workgroup

- Initial action plan ideas coming out of workgroup include:
  - Drafting legislative language, examples include:
    - Portability of licenses and training
    - Kitchen/Food Code revisions
    - Staffing clarity
  - Training for providers and others
  - Increased communication and collaboration

# Small Provider Survey

- MDH drafting, with DHS input, a small provider survey to send out to providers with a capacity size of 10 and under
- Goal is to ensure we have identified all burdens
- Working to capture feedback from as many providers as possible
- Hopeful to identify other recommendations or information to inform on best next steps

# Next Steps & MDH's Continued Commitment

- Continued work with sub-group topics identified
- Continued development and follow-through of action plans
- Continued collaboration with workgroup members and stakeholders
- Continued education and conversations to help support balancing resident needs and provider questions/concerns
- Continued collaboration on possible draft language



# Thank You

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# Recommendations to the Commissioner

## Minn. Stat. 144A.4799, Subd. 3(c)

“The advisory council shall annually make recommendations to the commissioner... The recommendations shall address ways the commissioner may improve protection of the public under existing statutes and laws and include but are not limited to projects that create and administer training of licensees and their employees to improve residents' lives, supporting ways that licensees can improve and enhance quality care and ways to provide technical assistance to licensees to improve compliance; information technology and data projects that analyze and communicate information about trends of violations or lead to ways of improving client care; communications strategies to licensees and the public; and other projects or pilots that benefit clients, families, and the public.”

# What are the Advisory Council's recommendations to the Commissioner for how funds from fines be spent?

The HCALP Advisory Council currently has access to approximately \$3,000,000 from fines collected from provider violations.

- Advisory Council ideas?
- Solicit proposed ideas from stakeholders?

Request received to provide education to the Advisory Council about MDH correction orders, including:

- What is the MDH correction order process?;
- How are decisions made about issuing correction orders?;
- Should requiring correction orders be done more broadly? If so, are there barriers to a broader correction order requirement?
- Without issuing correction orders, what are the incentives for the providers to make corrective action?

# Proposed Dates for Next Meeting

Next Meeting Options:

Monday, December 4, 2023

or

Friday, December 8, 2023

or

Monday, December 11, 2023



# Thank You!

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