

Budget for One Minnesota



PROTECTING VULNERABLE ADULTS

Everyone has the right to live in dignity and free from harm. That’s especially true for vulnerable Minnesotans who are elderly, ill, have a disability, and who rely on others for their care. When a new statewide reporting system launched in 2015, reports of suspected adult abuse and maltreatment rose nearly 33 percent.

Minnesota strives to ensure safe environments and services for vulnerable adults and encourages reporting of suspected maltreatment. The Governor’s budget addresses this issue strategically by focusing on improving both the existing regulatory functions as well as updating the state’s protections for vulnerable adults to better fit current and future conditions. These proposals advance a fundamental respect for the rights, dignity and safety of older adults and people with disabilities.

ENSURING ADVOCACY FOR LONG-TERM CARE CONSUMERS

Increasing Staffing for the Office of Ombudsman for Long-Term Care



Long-term care consumers need a trusted, effective and independent advocate to act on their behalf. Currently, the ombudsman staff are unable to fully meet the demand for services, and Minnesota ranks worst in the nation for the number of active beds per ombudsman staff member. Governor Walz’s budget recommends increasing staff to handle more cases on behalf of consumers.

ENHANCE CURRENT REGULATORY SERVICES



Expand Regulatory Capacity

Governor Walz’s budget increases funding for program improvements that will position the state to better meet state and federal statutory requirements. This includes needed funding for licensing, certification, investigations and inspections.

One key element increases available general fund resources for the required state match for Health Care Facility Licensing and Certification work by \$3 million each year, beginning in FY 2020. The Governor’s proposal also increases the SGSR appropriation by \$1.1 million each year in the FY 2020-21 biennium for the Home Care and Assisted Living Program (HCALP) to add one additional survey team to improve the frequency of home care provider inspections.



Modernize Case Management

The MDH Health Regulation Division (HRD) currently relies on an outdated paper and electronic system to manage the work of inspections, investigations, enforcement, time-reporting and federal reimbursement. The current system cannot store documents or manage workflow and is extremely limited in its ability to extract

stored data. These limitations limit the ability of HRD to provide information to the public, analyze operations, coordinate state and federal activities, and forecast future needs. Creating a modern, centralized framework for case management mitigates the risks and supports the continuous improvement activities underway to protect vulnerable adults. The case management system would be aligned with a public reporting website where consumers can search, sort and compare information to inform their choices about services, and providers can access information to help them learn and improve. The system would be built in two phases over four years for a total estimated cost of \$5 million.



Enhance Data Analysis and Reporting

The Governor's proposal provides \$1.2 million for the FY2020-21 biennium to enhance our capacity to offer timely notification of maltreatment report, respond to the growing number of complex data practices requests, and generate robust analysis and reports to drive quality and safety improvement and public engagement.



Upgrade Communication and Stakeholder Engagement

This proposal dedicates \$400,000 over the biennium to support stakeholder engagement and develop more effective and useful online content and other materials for vulnerable adults, families, providers and other key audiences.

REFORM AND ENHANCE REGULATORY PROTECTIONS



Establish a New, Three-Tiered Licensing System for Assisted Living

Governor Walz's budget proposal establishes over a four-year period a new, three-tier licensing system for assisted living service providers. The licensing system would be comprised of Basic, Comprehensive and Comprehensive-Plus licenses.

A **Basic license** includes assisted living facilities that provide or arrange services in conjunction with a Basic Home Care license. Services include assistance with dressing, self-feeding, oral hygiene, hair care, grooming, toileting and bathing; standby assistance; medication and treatment reminders; preparing modified diets; and helping with housekeeping and laundry.

A **Comprehensive license** includes assisted living facilities that provide or arrange services in conjunction with a Comprehensive home care license. Services include the services of professional nurses, occupational therapists, speech-language therapists, respiratory therapists, nutritionists or social workers; tasks delegated to unlicensed personnel by a registered nurse; medication management; hands-on assistance with transfers; assisting clients with complicated eating problems; and providing other complex and specialty care such as ventilators.

A **Comprehensive PLUS license** includes all elements of the Comprehensive license, plus taking care of residents with dementia, including having a separate dementia care unit.



Authorize Immediate Fines for Violations Noted During On-Site Surveys

Governor Walz's budget proposal authorizes the Commissioner of Health to impose immediate fines when a violation is noted during an onsite survey of the provider. Current law requires that the provider be given time to correct the violation before

a fine is imposed. This proposal would still require the provider to correct the violation; however, the fine could be imposed on the first onsite survey. The goal is to reduce violations occurring in the first place because providers know that with the first onsite survey, an immediate fine could be imposed. This proposal also deposits immediate fine revenue and previously collected home care assessment fines into a dedicated, special revenue account that is appropriated to the Commissioner once the home care advisory council recommendations are approved by the Commissioner.



Address Deceptive Marketing Practices

This proposal prohibits providers from engaging in deceptive marketing and business practices. Providers cannot make any false, fraudulent, deceptive or misleading statements in marketing and advertising orally or in writing. This includes facilities that are licensed as Housing with Services (HWS), home care, boarding care homes and nursing homes.

COORDINATION OF CIVIL AND CRIMINAL INVESTIGATIONS



Investing in Information Technology Support

The Minnesota Adult Abuse Reporting Center operates 24/7 and requires multiple state technology systems and applications to meet statutory requirements, protect vulnerable adults and coordinate civil and criminal investigation of alleged maltreatment. The Walz-Flanagan proposal includes 24/7 systems and applications support for phone and Internet technology that are essential parts of our abuse reporting system. This investment will prevent delays in addressing outages and reporting referrals.



Creating a Management Dashboard

Lack of real-time data management in the abuse reporting system poses risks to vulnerable adults and to DHS. That's why Governor Walz is proposing the creation of a management dashboard for real time operations management, compliance and contract oversight. This dashboard will support timely protection of vulnerable adults, timely referrals and timely response by law enforcement and lead investigative agencies.



Using Technology to Partner with Law Enforcement

Timely and accurate law enforcement notification and response is necessary when investigating allegations of adult maltreatment or abuse. The Walz-Flanagan budget includes a proposal to improve data transmission between law enforcement and the statewide abuse reporting system so that authorities are immediately notified of reports that may require a criminal investigation.

CREATING AN ASSISTED-LIVING REPORT CARD



Reporting on Assisted Living and Housing with Services Establishments

Minnesota families who pay for assisted living services deserve to know they are selecting quality providers for themselves and their loved ones. There are

approximately 1,700 registered housing with services settings in Minnesota, but data on the quality of the services provided is not easily accessible to the public. Governor Walz recommends creating an assisted living consumer and family survey process and report card to establish regular reporting on the quality of care in assisted living and registered housing with services facilities.

INCREASING SUPPORT FOR OVERSIGHT MEASURES



Conducting Reviews of Licensed Home and Community-Based Services (HCBS)

DHS conducts on-site reviews of HCBS facilities once every 4.8 years on average. Governor Walz's budget includes a funding proposal that will help DHS conduct reviews every three years, ensuring timely response to licensing violations, appeals of licensing actions, and provider requests for technical assistance. The changes are necessary to meet federal waiver requirements.



Conducting More Frequent Onsite Licensing Reviews of Adult Day Centers

Use of licensed adult day centers has increased significantly since 2016. Increased demand has led to significant concerns for the health and safety of the people served by these facilities. Governor Walz is recommending investing in additional support to the adult day center licensing activity. This proposal will allow DHS licensing staff to conduct on-site reviews of licensed adult day centers at least once every two years and heighten monitoring and assistance to centers with compliance concerns.



Empowering Older Minnesotans & Their Families to Prevent Fraud

Governor Walz's budget will help protect older Minnesotans against financial fraud and exploitation by continuing and enhancing the Commerce Department's Senior Financial Fraud Prevention Education and Outreach initiative. This initiative protects the financial security of Minnesota's older adults. The funding proposal will support:

- Creation and distribution of a comprehensive, consumer-friendly fraud prevention "toolkit" and online content;
- Translation of information to make it accessible and relevant to vulnerable ethnic/immigrant communities;
- Targeted awareness and educational advertising; and
- Fraud prevention presentations to Minnesota seniors and their families in communities throughout the state, as well as trainings for businesses, organizations and professionals working with older Minnesotans.