




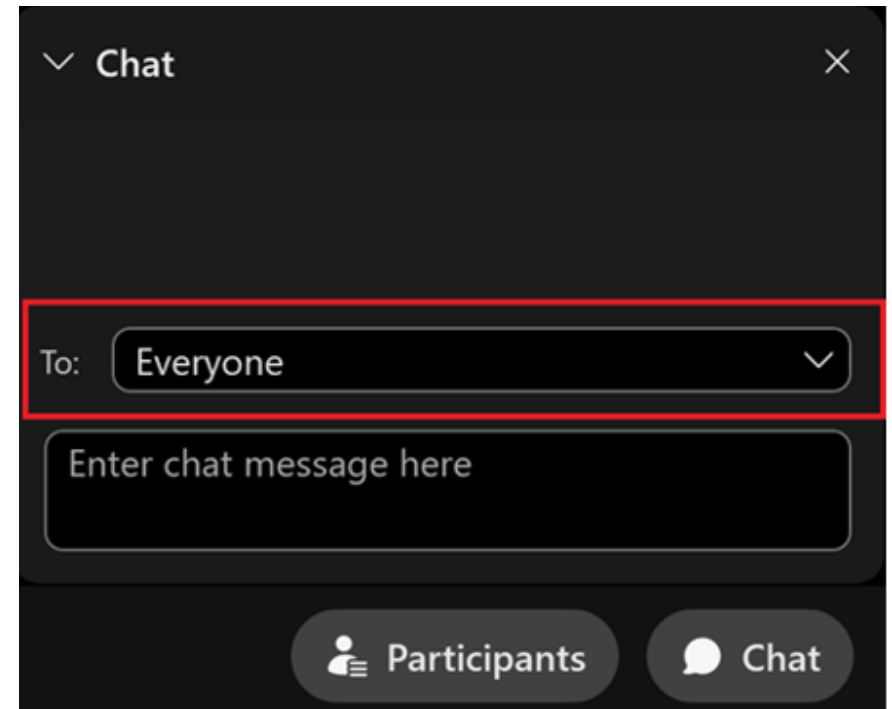
Minnesota Department of Health

Assisted Living Webinar | September 15, 2022

PROTECTING, MAINTAINING AND IMPROVING THE HEALTH OF ALL MINNESOTANS

How to Ask a Question

- **Participants are muted.**
- **To ask a question** Click on the chat bubble  Chat ... to open the chat, select Everyone, and ask a question. Please note that questions sent to panelists directly will not be answered as individual chat boxes are not checked.
- **We will answer** as many questions as we can at the end of the presentation. Please ask questions related to the agenda topics only.
- **Please be respectful.**



- Proration
- Provisional License Process
- Physical Environment Update
- Lessons Learned



Proration

I noticed my license was expiring sooner/later than what I was expecting?

A: Proration

Assigned renewal month; must be completed by the 1st of the month:	The initial renewed license will be issued for:
January	5 months, ending December 31, 2022
February	6 months, ending January 31, 2023
March	7 months, ending February 28, 2023
April	8 months, ending March 31, 2023
May	9 months, ending April 30, 2023
June	10 months, ending May 31, 2023
July	11 months, ending June 30, 2023
August	12 months, ending July 31, 2023
September	13 months, ending August 31, 2023
October	14 months, ending September 30, 2023
November	15 months, ending October 31, 2023
December	16 months, ending November 30, 2023

- Applicants who converted to assisted living licensure will have a prorated renewal period
- The license period will be between 5 and 16 months
- The renewal application fee will be adjusted based on the prorated portion of the standard 12-month fee
- [Minn. Stat. 144G.191 Subd. 5 \(c\)](http://www.revisor.mn.gov/statutes/cite/144G.191)
[\(\[www.revisor.mn.gov/statutes/cite/144G.191\]\(http://www.revisor.mn.gov/statutes/cite/144G.191\)\)](http://www.revisor.mn.gov/statutes/cite/144G.191)

Renewal Notification Letters

Renewal Notification Arrival	License Expiration Date
September 2022	December 31, 2022
October 2022	January 31, 2023
November 2022	February 28, 2023
December 2022	March 31, 2023
January 2023	April 30, 2023
February 2023	May 31, 2023
March 2023	June 30, 2023
April 2023	July 31, 2023
May 2023	August 31, 2023
June 2023	September 30, 2023
July 2023	October 31, 2023
August 2023	November 30, 2023



- Approximately 170 licenses will expire on 12/31/2022
- Renewal notification letters will be emailed in **September** for licenses expiring 12/31/2022
- ✓ Know your expiration dates
- ✓ Check your Junk/Spam folders

I haven't received my
renewal notification letter,
what do I do?

A: Renewal Notification

- Renewal letter containing login credentials is emailed to the licensee's **Permanent Business Email Address**.
- Email comes from donotreply@state.mn.us
- Check your SPAM/Junk Folders
- If you have not received your credentials, email your **HFID** to health.assistedliving@state.mn.us

Residents Receiving Services

Effective August 1, 2022

[144G.17 \(5\) \(www.revisor.mn.gov/statutes/cite/144G.17\)](http://www.revisor.mn.gov/statutes/cite/144G.17)

Resident(s) Receiving services in the Preceding License Year

ITEM TO VERIFY	144G REFERENCE	ADDITIONAL INFORMATION
<input type="checkbox"/> Service Agreement <input type="checkbox"/> Billing Information	144G.17 (5)	Each application for renewal must provide information sufficient to show the licensee provided assisted living services to at least one resident during the immediately preceding license year and at the assisted living facility listed on the license.



Provisional License Process

Provisional Application and Survey Overview

Provisional License
Issued

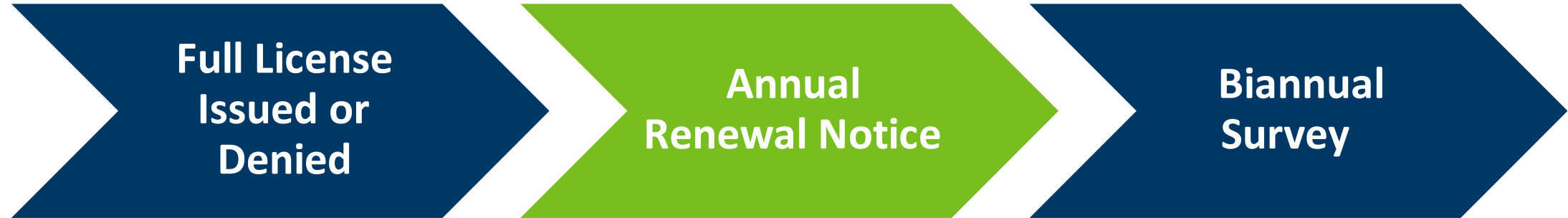
Submit Notice of
Providing Assisted
Living Services

Survey

- Submit within 2 days
- Include a copy of the Service Plan
- Include a signed Assisted Living contract for at least 1 resident

- MDH will schedule survey prior to Provisional license expiring
- If your license expires in 60 days and the survey has not occurred, contact MDH for guidance

Provisional Application and Survey Overview cont.



- Will be sent approximately 90 days prior to license expiration date
- Will be emailed to permanent business email address

- Survey will occur at least every 2 years

Notice of Providing Services

Within **two days** of beginning to provide assisted living services, the provisional licensee must provide notice to MDH that it is providing assisted living services by completing the [Notice of Providing Assisted Living Services.](#)

Email to health.assistedliving@state.mn.us

Notice of Providing Services

If notice of providing services is submitted within 45 calendar prior to expiration date of provisional license, MDH may extend the provisional license up to 60 calendar days.

Email to health.assistedliving@state.mn.us with any questions.

Service Plan and Assisted Living Contract

You must also include a copy of your **Service Plan** for at least one resident and a copy of a signed **Assisted Living Contract** for at least one resident when submitting notice of providing services.



Forms - Provider Checklist



Assisted Living License Renewal

PROVIDER CHECKLIST

This checklist provides guidance for gathering all potential items that may be needed to submit a renewal application for an Assisted Living Facility (ALF) license or for an Assisted Living Facility with Dementia Care (ALFDC) license.

Verify the Following Items:

Applicant Information

ITEM TO VERIFY	144G REFERENCE	ADDITIONAL INFORMATION
<input type="checkbox"/> Assumed Name/DBA	144G.12 Subd. 1 (1)	Only if the facility's doing business as (DBA) has changed, submit a copy of Certificate of Assumed Name from the MN Secretary of State.
<input type="checkbox"/> Organizational Chart	144G.12 Subd.1 (12)	Only if changed from previous year.

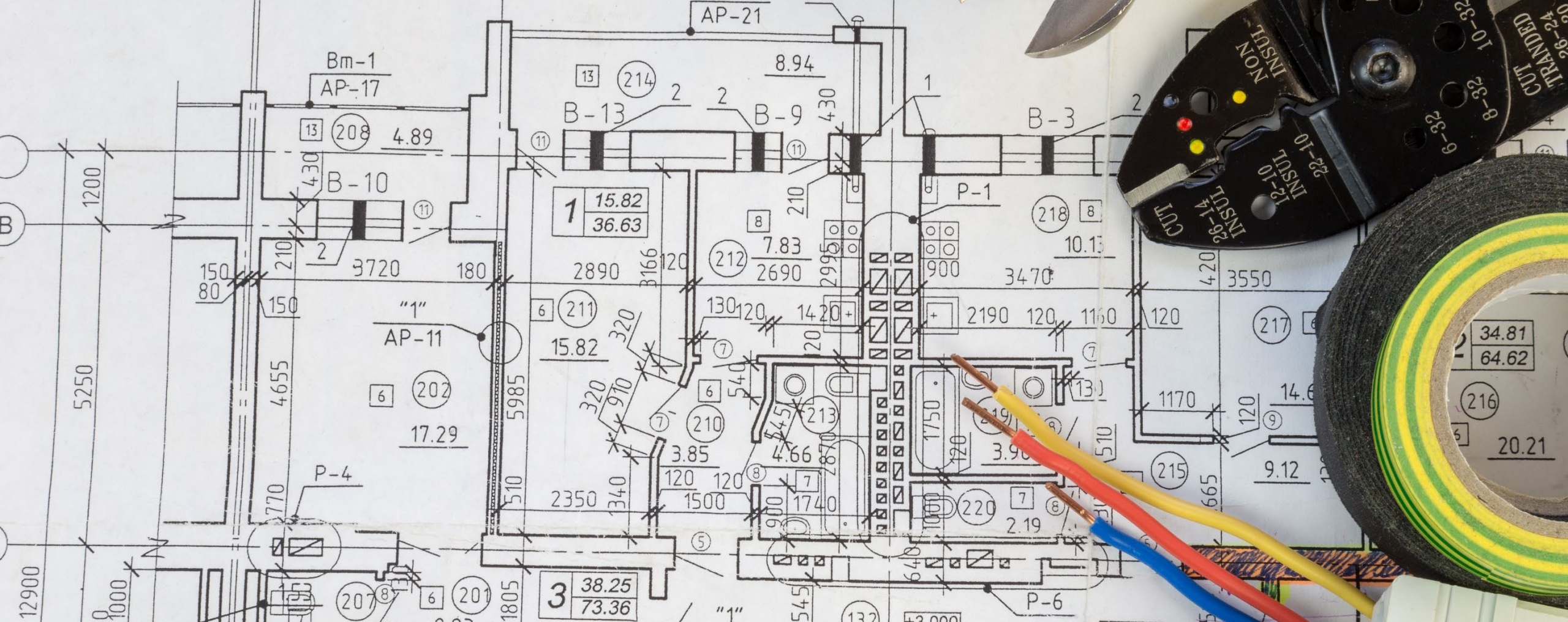
Physical Environment (Building Information + Capacity)

ITEM TO VERIFY	144G REFERENCE	ADDITIONAL INFORMATION
<input type="checkbox"/> List all buildings/addresses included under this license	144G.08 Subd. 4a	See campus definition.
<input type="checkbox"/> Copy of Executed Lease Agreement (Landlord & Licensee)	144G.12 Subd. 1 (9)	Only if the licensee is leasing the building from another party.

www.health.state.mn.us/facilities/regulation/assistedliving/docs/forms/renewalchecklist.pdf

Poll Questions

- 1) Did you utilize the [AL Renewal Provider Checklist](#) to assist you in completing your renewal application? (YES/NO)
- 2) On a scale of 1-5 (with 1 being very unsatisfied and 5 being very satisfied) how satisfied were you with the [AL Renewal Provider Checklist](#)?
- 3) Do you plan on using the [AL Renewal Provider Checklist](#) for your next renewal application process (YES/NO)?
- 4) Have you viewed the training videos on the [Assisted Living License Renewal](#) webpage (YES/NO)?
- 5) Are the resources on the [Assisted Living Licensure](#) website easy to locate (YES/NO)?
- 6) Comments – Please include ideas for additional resources.



Capacity Increases & Engineering Services Plan Review

WHY do we review?

- To ensure the facility is in compliance with statute and the 2018 Life Safety Code.
- To ensure the resident will have a bedroom at the facility.
- To ensure the facility is large enough to handle the increase.

WHEN do we review?

- When an ALF capacity increase passes through a threshold.
 - What is a threshold?
 - An increase from 5 or fewer to 6 or more, OR
 - An increase from 16 or fewer to 17 or more
- When DOESN'T a plan review need to happen during a capacity increase?
 - Between or above thresholds.
 - Examples: 2 to 5 or 6 to 10 or 20 to 25

WHAT do we review?

- Floor/Building/Facility Plans
 - Smoke alarm locations, smoke detector system, fire extinguishers, sprinkler system info, fire alarm system info, CO2 detectors, bedroom locations
- Approval or sign-off from local authority having jurisdiction.
 - Building code review and/or
 - Zoning code review

WHAT do we review?

- Facilities with 5 or fewer residents (not reviewed for capacity increases)
 - Statute compliance ONLY
- Facilities with 6 to 16 residents
 - Statute compliance – including a bathtub
 - 2018 Life Safety Code, Chapter 32 Small Facilities
- Facilities with 17+ residents
 - Statute compliance – including bathtub
 - 2018 Life Safety Code, Chapter 32 Large Facilities
- Dementia Care Licenses
 - Statute compliance – including bathtub
 - 2018 Life Safety Code, Chapter 18 Healthcare (Limited Care)

- Plan reviews are to determine compliance with statutes and codes AND to ensure the facility can increase capacity.
- Submitted plans or documents should show compliance with statute and codes.
- Capacity increase plan reviews happen at thresholds.

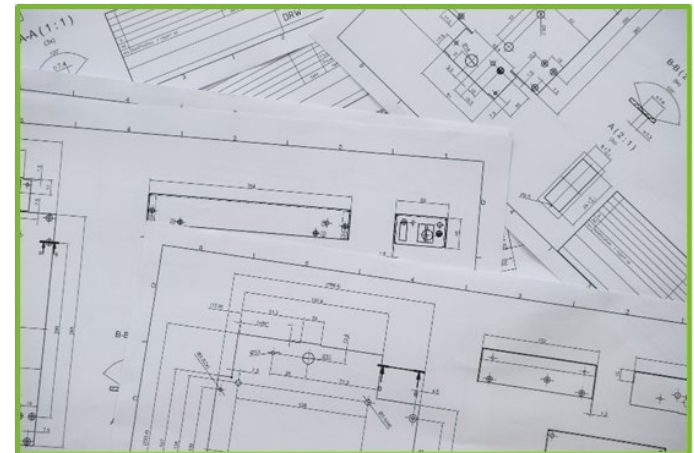
I have plans to submit, now what?

- ❑ Fill out Construction Plan Submittal form on engineering website:
<https://www.health.state.mn.us/facilities/regulation/engineering/docs/submittalformalf.pdf>
- ❑ Submit form and pdf of plans to assisted living email: health.assistedliving@state.mn.us
- ❑ **Engineering will review in order received**

Questions?

AL Engineer Supervisor - Michael Mireau:
michael.mireau@state.mn.us

Engineering Manager - Bob Dehler:
robert.dehler@state.mn.us



100%



Lessons Learned

What Went Well!

- ✓ Applications were submitted early
- ✓ Some applicants utilized the Renewal Checklist
- ✓ Application timelines were followed to prevent fees and fines
- ✓ Providers responded quickly to MDH credentialer questions

Tips for Success on Your Next Renewal

- If a CHOW will coincide with your renewal, contact MDH for guidance
- Submit all necessary documents
- Submit **ONE** current and updated [UDALSA](#) per HFID
- Complete background studies for required positions prior to the renewal - *we recommend incorporating BGS into your onboarding process as the person begins the new role*
- Complete BGS throughout the year, do not wait for you renewal
- Include your business mailing address
- Follow engineering guidelines
- [Closure Form](#) and a closure plan are required if you are **NOT** renewing your license (*approval* required 60 days prior to license expiration).

- Only **ONE** UDALSA per HFID
- Must submit an updated UDALSA to MDH **within 30 days** of changes – plus at license renewal
- Effective the date you put on the form
- MDH posts to the website within 7 days of receiving
- Make sure you are using the version posted on the MDH website:
[UDALSA \(PDF\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/docs/forms/udalsa.pdf)
[\(www.health.state.mn.us/facilities/regulation/assistedliving/docs/forms/udalsa.pdf\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/docs/forms/udalsa.pdf)



Updated UDALSA's go to:

- MDH = YES
- Residents = *If* resident is affected by removal of service
- OOLTC = NO



Q and A

We submitted a
Change of Ownership (CHOW)
application, and it is still in process.
Do we still submit the
renewal application?

A: CHOW + Renewal



- If the CHOW application is complete and the new license can be issued prior to the existing license expiring, then renewal is not necessary.
- If the CHOW application will not be completed prior to expiration of the existing license, then the existing licensee must complete the renewal.
- A CHOW cannot take place on an expired license.

Do we have time to apply for a **Change of Ownership (CHOW)** before the renewal application is due?

A: CHOW Timing



- A prospective buyer may submit a CHOW application at any time.
- If the application is complete and the new license is issued prior to expiration of the existing license, then renewal is not necessary.
- Per [144G.19 Subd. 2 \(b\)](#), the prospective licensee must submit notice to MDH at least 60 days prior to the anticipated change of licensee.

My business entity changed from an LLC to an S-Corp with the IRS, will a **Change of Ownership (CHOW) be required?**

A: Business Entity Change



- Yes, a Change of Ownership is required if the business entity changes from an LLC to an S-Corp
- The licensee must apply for a new license if the form of the licensee's legal entity structure is converted or changed to a different type of legal entity structure
- [Minn. Stat. 144G.19 Subd. 2 \(a\)\(1\)](http://www.revisor.mn.gov/statutes/cite/144G.19)
www.revisor.mn.gov/statutes/cite/144G.19

What steps should I take
if I am **NOT renewing**
my license?

A: Not Renewing License



- If you are not renewing your license, then you must go through the planned closure process ([144G.57](#)).
- Submit the Closure Form and Proposed Closure Plan (including proposed notice to residents) to MDH for review and approval as soon as possible.
- [Assisted Living License Closure Form \(PDF\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/docs/surveyforms/f4045.pdf)
(www.health.state.mn.us/facilities/regulation/assistedliving/docs/surveyforms/f4045.pdf)
- MDH must approve the closure plan before notice can be given to residents.
- Notice must be given at least 60 days prior to the approved closure date.
- Failure to comply with the legal requirements for a planned closure may result in a fine or other administrative penalties and may impact your ability to become licenses in the future.

Operating without a License



- Conversion License is expired
- Facilities operating after expiration and without a license are subject to a fine of \$250 per day
- Facility is subject to misdemeanor penalties



- Renewal applications must be submitted at least 60 calendar days before expiration of the license ([144G.17 \(1\)](#))
- There is a **\$200 penalty** for submitting a renewal application less than 30 days prior to the expiration date of the license or after the license has expired ([144G.12 Subd. 4 \(a\)](#))

- Proration
- Provisional License Process
- Physical Environment Update
- Lessons Learned



Q and A

Don't Forget...



If you are a provider or work in an assisted living facility and want to receive updates, including WebEx notifications, register here: [Long Term Care Provider Representatives GovDelivery List.](#)

Website Resources

- [Assisted Living Licensure \(www.health.state.mn.us/facilities/regulation/assistedliving/index.html\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/index.html)
 - ALL Together newsletter
 - ALL Inbox: health.assistedliving@state.mn.us
- [Assisted Living License Renewal \(www.health.state.mn.us/facilities/regulation/assistedliving/renewal.html\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/renewal.html)
 - Renewal Timeline
 - Forms
 - License Renewal FAQs
 - Renewal Teleconference Calls
 - Training Videos
- [Assisted Living Resources & FAQs \(www.health.state.mn.us/facilities/regulation/assistedliving/faq.html\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/faq.html)
- [Assisted Living Teleconference Calls \(www.health.state.mn.us/facilities/regulation/assistedliving/calls.html\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/calls.html)

Thank you

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Michael Mireau – Assisted Living Physical Environment Supervisor | Engineering Services

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