

Assisted living residents encouraged to prepare for August licensing changes

With Minnesota's new assisted living licensure law set to take effect Aug. 1, the Minnesota Department of Health (MDH) encourages families and residents at assisted living-type facilities to ask their current care providers about their plans and any impacts to the care provided beginning in August. Assisted living providers will also need to notify families and residents if they will no longer provide certain services, or if contracts are updated to meet license changes.

Approximately 60,000 Minnesotans live in 1,800 assisted living-type facilities that mostly serve seniors. Most of those who live in an assisted living-type facility, dementia care or housing with home care will not experience significant changes in their services due to the new licensing program. However, some residents may see changes by this August, and in some cases those changes may make it necessary for residents to find a new service provider or even a new place to live.

According to Minnesota Commissioner of Health Jan Malcolm, the best approach for residents and their families is to connect with their care providers as soon as possible to learn how the new licensure program may impact the providers' services and plans going forward.

"It is an important time to discuss your care because providers are currently making decisions about the type of services they will be offering beginning Aug. 1," said Commissioner Malcolm. "We are working with providers to make sure residents get all the information they need in a timely fashion, but it's a good idea for residents and families to have these discussions with providers and ask questions now so they are prepared to manage any possible changes."

Minnesotans who live in an assisted living-type facility should look for a notification from their provider in the coming weeks, or they should contact their provider to learn whether their provider intends to get the assisted living license needed to keep operating after Aug. 1. Current assisted living-type providers must apply by June 1 to be eligible for Minnesota's new assisted living license.

"The new licensure structure protects the foundation of assisted living in Minnesota, including consumer choice, independence and the ability to age in place while enhancing transparency and regulatory accountability. We encourage patience through this generational change, giving

caregivers, regulators, families and residents time to adapt to and complete this significant transition,” said Gayle Kvenvold, president/CEO of LeadingAge Minnesota.

Any comprehensive home care provider not planning to provide home care services after Aug. 1 must give a written notice by May 31 to every resident who receives services. Likewise, a housing with services provider who does not intend to continue to offer housing after Aug. 1 must notify tenants in writing by May 31.

“No one contemplated then that we would be crafting the rules for this new framework in the middle of a pandemic, which has made the transition more complex with less time to prepare,” said Patti Cullen, president/CEO, Care Providers of Minnesota. “Despite all the challenges of the COVID-19 pandemic and a worse-than-ever workforce shortage, we remain fully committed to the successful implementation of the new assisted living rules in our communities.”

These changes could impact residents living in housing with home care services, which may affect the following services:

- Assisting with dressing, self-feeding, oral hygiene, hair care, grooming, toileting, and bathing
- Providing standby assistance
- Medication management services
- Hands-on assistance with transfers and mobility
- Treatment and therapies

The groundbreaking reform legislation passed by the Minnesota Legislature and signed into law by Gov. Tim Walz in 2019 is designed to improve the safety and quality of care in long-term care in Minnesota. There will be two types of assisted living licenses beginning Aug. 1:

- Assisted Living License
- Assisted Living License with Dementia Care

The two licenses replace the combined Comprehensive Home Care License and the Housing with Services registration, which will be discontinued after July 31.

"The Alzheimer's Association is always available to support families as they consider any change in care for someone living with dementia," said Sue Parriott, Alzheimer's Association Minnesota-North Dakota Chapter CEO. "We understand that these transitions may be stressful, but we believe this new licensing system will provide a more stable and safe care environment for residents in all assisted living settings."

The new assisted living reforms set higher expectations for providers and create more protections for people living in assisted living establishments. It will also create clear pathways for accountability and better services for residents of assisted living facilities.

"We want Minnesota families and residents to be aware of the positive changes coming related to the licensing of assisted living facilities," states Kristine Sundberg, executive director of Elder Voice Family Advocates. "We now have a substantial improvement in safety and care standards and added protections on the way that will help keep our parents and spouses better protected from neglect and harm."