

Key Elements of Minnesota's Elder Care and Vulnerable Adult Protection Act of 2019

The following represent many of the changes made to Minnesota's long term-care regulatory system and consumer protections. Changes were especially robust in Minnesota's regulation of Assisted Living. Consider what elements of your state's regulatory system could be enhanced? And what might Minnesota still be missing?

- **Two levels of licensure:** assisted living and assisted living with dementia care
- **Person-centered planning**
- **Minimum assisted living facility standards,** such as means to request assistance 24/7, home and community-based service standards, and clinical nurse supervisor who is an RN
- **Minimum service offerings,** such as 3 nutritious meals per day, culturally appropriate programs, weekly housekeeping and laundry, and daily programs of activities
- **Necessary policies/procedures,** in areas such as infection control, supervision, and complaints
- **Resident/family council standards,** such as facility providing space for meetings
- **Assisted Living Bill of Rights**
- **Standardized disclosures** at admission
- **Termination, emergency relocation, and room transfer protections** including pre-termination meetings, limited reasons for discharge, appeal rights, non-renewal protections such as reasons for non-renewal required, coordinated moving requirements similar to nursing facilities
- **Staffing standards,** such as training, staffing plan, and awake staff requirements
- **Assessment standards,** such as initial assessments, 14 day assessments, and 90 day assessments
- **Quality of care standards,** such as medication and therapy management requirements
- **Notices provided to residents** about the Office of Ombudsman for Long-Term Care, and **notices received** by the Office of Ombudsman for Long-Term Care
- **Physical plant standards**
- **Planned closure protections** including coordinated moving requirements for residents
- **Improved surveys/oversight/fines/enforcement** by Minnesota Department of Health
- **Regulatory oversight on ownership of facilities - Controlling person standards**
- **Retaliation protections for residents and resident advocates**
- **Electronic monitoring standards** including exceptions to providing notice to the facility in some circumstances
- **Additional standards for Assisted Living with Dementia Care,** such as training standards, application considerations for new licensees, necessary policies, and minimum requirements
- **Licensing requirement for assisted living directors** including training and continuing education
- **Ability to bring in outside service providers and request reasonable accommodations**

For a more detailed description of the law, please e-mail Aisha Elmquist at aisha.elmquist@state.mn.us.