



Minnesota Department of Health

Assisted Living Webex | February 17, 2022

PROTECTING, MAINTAINING AND IMPROVING THE HEALTH OF ALL MINNESOTANS

➤ Survey Updates and Closure Review

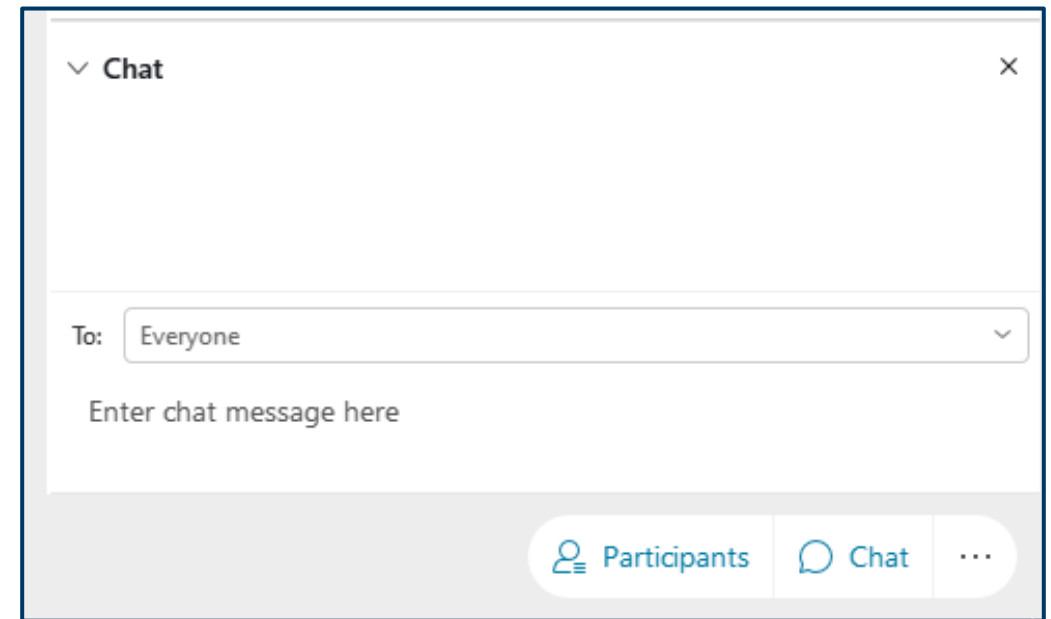
- Immediate Orders
- Planned Closures

➤ ALL License Renewal Process

➤ ALL License Renewal Application



- Presenters are unmuted
- Public attendees are muted – please submit any comments or questions in the chat feature (bottom right)





Immediate Orders and Closure Review

Immediate orders are being issued in the following areas:

- Lack of LALD/ALDIR ([144G.10 Subd. 1a](#))
- Lack of Background Studies for employees ([144G.60 Subd. 1](#))
- Improper use of bed rails ([144G.91 Subd. 4](#))
 - [Recommendations for Health Care Providers about Bed Rails | FDA](https://www.fda.gov/medical-devices/bed-rail-safety/recommendations-health-care-providers-about-bed-rails)
(<https://www.fda.gov/medical-devices/bed-rail-safety/recommendations-health-care-providers-about-bed-rails>)
- Lack of 24-hour awake staff in secure dementia care unit ([144G. 81 Subd. 4](#))

Immediate Orders cont.

- Lack of available on-call RN 24-hours a day/7 days a week ([144G.41 Subd. 1\(14\)](#))
- Lack of staff training prior to administering medications or other delegated nursing tasks ([144G.60](#), [144G.61](#), [144G.62](#), [144G.71 Subd. 7](#))
- Lack of proper infection control ([144G.41 Subd. 3](#))
 - Lack of resident, staff, or visitor screening
 - Lack of COVID-19 outbreak follow-up

Planned Closures



- 144G.57
- Closure plan is required
- MDH must approve your closure plan before notifying residents of closure/moving residents

Planned Closures cont.

- Conditions for Planned Closures (Rule [4659.0130](#))
- [MDH Closure Form](#)
- Emergency closures are outlined in [144G.57 Subd. 6](#)

Even in an emergency, a closure plan must be approved by MDH prior to notifying and moving residents



Closure Form

ASSISTED LIVING PROVIDERS

If an assisted living facility elects to voluntarily close, the facility must notify the Department of Health commissioner and the Office of the Ombudsman for Long-Term Care at the Department of Human Services in writing by submitting a proposed closure plan. **Proposed closure plans are subject to the commissioner's review and approval, and the facility may not take any action to close the residence prior to the commissioner's approval of the plan.**

After the commissioner has approved the closure plan, the facility must provide notice to residents, designated representatives, and legal representatives at least 60 calendar days before closing, except in the event of an emergency closure.

Use this form as a guide to complete the closure plan and to notify the Department of Health commissioner. Submit the completed form along with the closure plan to the email noted below. Per statute, the commissioner will review and respond to the plan as soon as practicable.

The assisted living facility is responsible for contacting the Office of the Ombudsman for Long-Term Care at the Department of Human Services.

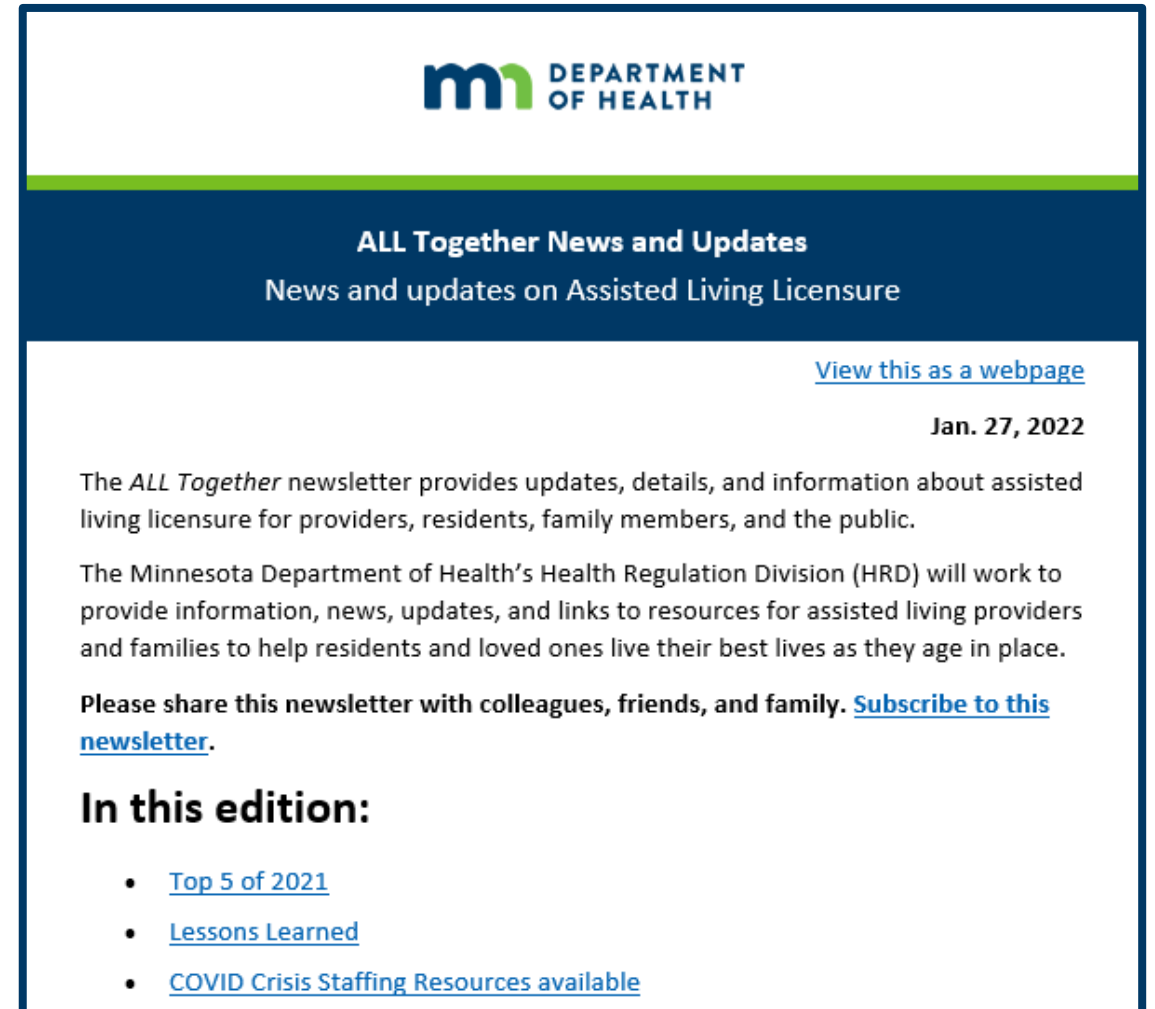
Before completing this form, read the following statute to understand the requirements for closing a license and discontinuing services to residents:


[Minn. Stat. § 144G.57 \(www.revisor.mn.gov/statutes/cite/144G.57\)](http://www.revisor.mn.gov/statutes/cite/144G.57)

ALL Together Newsletter



- Subscribe to HRD's ALL Together Newsletter for up-to-date information regarding Assisted Living Licensure
- [MDH Email Updates \(https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_660\)](https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_660)



 DEPARTMENT OF HEALTH

ALL Together News and Updates
News and updates on Assisted Living Licensure

[View this as a webpage](#)

Jan. 27, 2022

The *ALL Together* newsletter provides updates, details, and information about assisted living licensure for providers, residents, family members, and the public.

The Minnesota Department of Health's Health Regulation Division (HRD) will work to provide information, news, updates, and links to resources for assisted living providers and families to help residents and loved ones live their best lives as they age in place.

Please share this newsletter with colleagues, friends, and family. [Subscribe to this newsletter.](#)

In this edition:

- [Top 5 of 2021](#)
- [Lessons Learned](#)
- [COVID Crisis Staffing Resources available](#)



Handoff to ALL Renewals

- Jane Danner
Regional Operations Executive Manager
- Rick Michals
State Operations Manager
- Alison Helm
Licensing, Certification, and Registration Supervisor



Assisted Living Updates

Register for Provider Updates

If you are a provider or work in an assisted living facility and want to receive updates, including WebEx notifications, CLICK HERE:
https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_626

- *This registration is separate and a different link from the ALL Together Newsletter*



- Conversion License Effective Through July 31, 2022
- Renewal Application available on or before May 1, 2022
- Provider Notification
- Randomization of License Period
- What Can/Cannot be Changed
- Renewal Application

Renewal Application Timelines

- Renewal applications will be posted to ICSD by May 1, 2022
- Assisted Living Facility renewal licenses for licensees who *converted* will be effective on August 1, 2022
- Prorated renewal periods (ranging from 5 to 16 months) will be randomly assigned

Prorated Renewal Periods

- [144G.191 Subd. 5\(c\)](#)
- License fees for the first license renewal shall be prorated and randomly assigned
 - 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



Renewal fees are calculated per [Minn. Stat. 144.122](#) and prorated based on the renewal license period.

- The 12-month ALF License Renewal Fee is \$2,000 plus \$75 per planned Resident Capacity
- The 12-month ALFDC License Renewal Fee is \$3,000 plus \$100 per planned resident capacity

Fee Calculation Examples

- ❑ An ALF Licensee with a requested licensed resident capacity of **10 residents** and a renewal period of **5 months** will pay a renewal fee of \$1,145.83
 $(\$2,000 \text{ Base Fee} + \$75 \times 10 \text{ Residents}) \times (5 \text{ Month Prorated License Period} \div 12 \text{ Month standard License Period}) = \$1,145.83$
- ❑ An ALF Licensee with a requested licensed resident capacity of **10 residents** and a renewal period of **16 months** will pay a renewal fee of \$3,666.67
 $(\$2,000 \text{ Base Fee} + \$75 \times 10 \text{ Residents}) \times (16 \text{ Month Prorated License Period} \div 12 \text{ Month standard License Period}) = \$3,666.67$

- [144G.191 Subd. 5 \(b\)\(3\)](#)
- Licensees will have the option to request a change to the randomly assigned renewal period based on financial hardship

- [144G.191, Subd. 5 \(b\)\(4\)](#)
- Licensees with more than one assisted living facility license will have the option to request that all license renewal dates occur in the same month or in different months throughout a 12-month period

Application Required 60 Days in Advance

- [144G.17 \(1\)](#)
- Renewal applications must be submitted at least 60 calendar days before expiration of the license



Penalty for late submission of renewal application:

- ✓ [144G.12 Subd. 4 \(a\)](#)
- ✓ 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

Penalty for Operating After Expiration

Penalty for operating a facility *after* expiration of the license & *before* renewal license is issued:

- ✓ \$250 per day
- ✓ Facility is subject to misdemeanor penalties





Timeline Questions?

Application Details

- How: Via the Improved Customer Service Delivery (ICSD) portal (**works best in Chrome**)
- When: On or before May 1, 2022



ALL Renewal Applicant Information

- Renewal letters containing login credentials and prorated license periods will be **emailed to the licensee's PERMANENT BUSINESS EMAIL ADDRESS**
- Ensure MDH has the correct contact information
- If any information has changed, submit the [Assisted Living Provider Change of Information Form \(PDF\)](http://www.health.state.mn.us/facilities/regulation/assistedliving/docs/surveyforms/f4040.pdf) (www.health.state.mn.us/facilities/regulation/assistedliving/docs/surveyforms/f4040.pdf)

Consideration of Applications



Renewal applications are reviewed in accordance with [144G.15](#)

- Complete and accurate information is required to determine if the license will be granted
- The license may be denied if the applicant knowingly makes false statements of material fact on an application

Application for Assisted Living Licensure Renewal

- ✓ Applications will be reviewed for completeness & compliance with the requirements of [144G.12](#)
- ✓ Attestations and signatures must be complete
- ✓ All necessary attachments must be included
- ✓ An updated UDALSA is required
- ✓ Auto population
- ✓ Verify the correct address where license is to be mailed
- ✓ This is not a renewal for the Licensed Assisted Living Director
- ✓ This is not an application for a Change of Ownership



Engineering Requirements



- Additional Campus Building Information (144G.08 Subd. 4a)
- Signed Architectural and Engineering Plans and specifications (144G.45)
- Complete Permit Application for New Construction (144G.45, 144G.80, 144G.191 Subd. 2)
- Engineering Review concerning Minimum Site, Physical Environment, and Fire Safety Requirements will occur outside the renewal process
- 144G.45
- Engineering Services for Assisted Living Facilities
(www.health.state.mn.us/facilities/regulation/engineering/assistedliving.html)

Licensed Resident Capacity

- Use the Building Information Screens to update the requested licensed resident capacity for each building under the license
- ICSD will add the requested licensed resident capacity for each building for the total requested licensed resident capacity under the license
- Additional campus buildings should be noted on these screens as well

ALL Renewal Guidelines

- The address and location of the licensed facility can not change
- If a licensee chooses to open a new facility, they must apply for and be granted a new provisional license prior to opening the new location
- A Change of Ownership (CHOW) may not occur during renewal
- If you anticipate a Change of Ownership prior to renewal, then submit a Change of Ownership application as soon as possible

ALL Renewal Guidelines cont.

- The license type may not change on renewal
- If a licensee chooses to relinquish an Assisted Living Facility with Dementia Care (ALFDC) License, they must follow the procedures outlined in [144G.80 Subd. 3](#) and [4659.0160](#) either prior to or after renewal
- If a licensee would like to move from an Assisted Living Facility (ALF) License to an Assisted Living Facility with Dementia Care License, they must apply for a new Provisional ALFDC License

Licensed Assisted Living Director

- The ALF or ALFDC License renewal is **NOT** an application or renewal for Assisted Living Director license
- Please see [Board of Executives for Long Term Services and Supports \(BELTSS\) \(https://mn.gov/boards/nursing-home/applicants/assisted-living-director/\)](https://mn.gov/boards/nursing-home/applicants/assisted-living-director/) website for requirements for Assisted Living Director Licensure



Renewal Application Questions?

Sign Up for ALL Newsletter

m DEPARTMENT OF HEALTH

HOME TOPICS ▾ ABOUT US

Search

Assisted Living Licensure

Assisted Living Licensure Home

Application Materials

Forms and Self-Audit Tools

Info for Consumers, Families, and Caregivers

Laws and Statutes

Provider Survey Results

Related Agencies, Boards, & Associations

Resources and FAQs

Rulemaking

Task Force

Background

Contact Us

Assisted Living Licensure

Assisted Living Licensure (ALL) within the Health Regulation Division of the Minnesota Department of Health oversees and regulates licensed assisted living providers in Minnesota. These activities include:

- Licensure
- On-site surveys and enforcement
- Communication with providers and the public on the issues of assisted living laws and regulation.

Our mission is to protect, maintain and improve the health of Minnesotans who receive assisted living services.

Share This

Translated Materials

Spotlight

[Home Care and Assisted Living Calls](#)

[Assisted Living Closure Form \(PDF\)](#)

[Assisted Living Provider Change of Information Form \(PDF\)](#)

Email Updates

Sign up for assisted living updates:

*Email Address

Submit

[Assisted Living Licensure \(https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html\)](https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html)

MN Government Publications DBA Allegra Eagan (www.mngovpublications.com/home.asp)

- *Select Order*
- *Select Laws and Rules Extract*
- *Select Health Care*

Health Care

Home Care and Assisted Living Laws & Rule: ▾

Updated October 2021

Statutes: 144A.43-144A.484, 144G, 144.051, 144.6502, 245D (.04, .06, .061, .07), 260E, 626.557, 626.5572
Extracted from Minnesota Statutes 2021

Rules: 4659

Extracted from Minnesota Rules
(in effect as of October 2021)

Please note: We also sell the Food Code Books, if you need one, search "food code" or 140 in the search bar,
Price \$17.95/book

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Government Publications – Food Code

[MN Government Publications DBA Allegra Eagan
\(www.mn.govpublications.com/home.asp\)](http://www.mn.govpublications.com/home.asp)

- *Select Order*
- *Select Laws and Rules Extract*
- *Select Miscellaneous*

Miscellaneous

Minnesota Food Code

Chapter 4626

Extracted from Minnesota Rules 2020

Price \$17.95/book

Order Quantity

0

Add to Cart

Upcoming Presentations

Thursday, March 17, 2022
10:00 a.m. to 11:30 a.m.

Thursday, April 21, 2022
10:00 a.m. to 11:30 a.m.

Thursday, May 5, 2022
10:00a.m. to 11:30 a.m.

Thursday, May 19, 2022
10:00 a.m. to 11:30 a.m.



Questions?

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:

https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_626

Thank you.

Jane Danner - Regional Operations Executive Manager

Rick Michals – State Operations Manager

Alison Helm - Licensing, Certification, and Registration Supervisor

health.assistedliving@state.mn.us