



**Date:** April 1, 2021  
**To:** Customized Living Service Providers  
**From:** Minnesota Department of Human Services (DHS)

## RE: New license required for customized living services providers (follow-up to DHS memo sent Feb. 18, 2021)

[Minnesota Statutes, chapter 144G](#) will change the license requirement for Customized Living Services providers effective Aug. 1, 2021. Due to the new law, Housing with Services registration will no longer be valid to provide customized living services as of Aug. 1, 2021. Providers of the Home and Community-Based Services (HCBS) waiver service for customized living will need to obtain an assisted living facility license, or be delivering services in an exempt setting, to continue delivering customized living services on and after the effective date. This applies to the following waiver programs:

- Elderly Waiver (EW)
- Brain Injury (BI)
- Community Access for Disability Inclusion (CADI)

### Action you need to take

#### 1. Apply for an assisted living facility license with the Minnesota Department of Health (MDH).

MDH plans to begin applications for the assisted living facility licensure on or around **May 1, 2021**. At that time, conversion applications will be available through the Improved Customer Service Delivery (ICSD) system.

You **must** apply for an assisted living facility license **no later than June 1, 2021**, if you:

- Are registered as a housing with services establishment under chapter 144D; **and**
- Are providing home care services or have contracted with a comprehensive home care provider providing services to at least one resident; **and**
- Intend to provide customized living services on or after Aug. 1, 2021.

Visit [MDH Assisted Living Licensure website](#) for more information. Please review this information carefully for timelines and deadlines related to the licensure application process.

#### 2. Update your provider enrollment record with Minnesota Health Care Programs (MHCP) Provider Eligibility and Compliance.

**For providers that will require an assisted living license:** After receiving the assisted living facility license from MHD for each setting providing Customized Living Services, upload a copy of each license to the [Minnesota Provider Screening and Enrollment \(MPSE\) online portal](#), or fax to 651-431-7493.

**For providers who are delivering services in an exempt setting and do not require an assisted living facility license:** DHS is in the process of creating a provider assurance statement which providers will need to complete and submit with their comprehensive home care license to Provider Eligibility and Compliance. See [Home and](#)

[Community-Based Services \(HCBS\) Programs Provider Enrollment](#) Customized Living Services in the MHCP Provider Manual in May 2021 for more details.

## Providers who no longer want to provide customized living services

Notify current residents no later than May 31, 2021, that you will no longer provide the customized living service as required in [Minnesota Statute, 144G.191, subd. 3\(c\)](#) and work with members and their case managers or care coordinators to transition them to an eligible provider. Also, notify Provider Eligibility and Compliance to end the service or terminate your enrollment record.

**Providers who choose to stop providing customized living services:** submit an enrollment record request in the [MPSE portal](#), or fax the completed [HCBS Programs Service Request Form, DHS-6638 \(PDF\)](#) to Provider Eligibility and Compliance at 651-431-7493.

**Providers who choose to terminate their provider enrollment for all services:** submit an enrollment record request in the [MPSE portal](#), or fax the completed [Organization – MHCP Provider Profile Change Form. DHS-3535A \(PDF\)](#) to Provider Eligibility and Compliance at 651-431-7493.

## Payment information

Starting Aug. 1, 2021, Provider Eligibility and Compliance will suspend reimbursement for customized living services until providers have submitted proof of either 1) required assisted living facility licensure, or 2) a comprehensive home care license and the applicable assurance statement form that verifies the provider is delivering services in an exempt setting, defined under Minnesota Statutes, 144G.08, subd. 7, paragraphs 11 – 13.

If there is a lapse in the provider's license (an effective date after Aug. 1, 2021), DHS will not pay for services during the lapse. DHS will cover services on or after Aug. 1, 2021, with proof of license effective Aug. 1, 2021, even if we receive the proof of license after the effective date.

See [HCBS Programs Provider Enrollment](#) section of the MHCP Provider Manual for more information on enrolling as a customized living services provider with MHCP.

## Additional Questions?

Questions about the Assisted Living Licensure requirement, contact MDH Assisted Living Licensure at [health.assistedliving@state.mn.us](mailto:health.assistedliving@state.mn.us) or (651) 539-3049.

Questions about new provider standards for customized living providers, contact DHS Aging and Adult Services Division at [dhs.aasd.hcbs@state.mn.us](mailto:dhs.aasd.hcbs@state.mn.us).

Questions about enrollment for customized living service providers, contact the MHCP Provider Call Center at 651-431-2700 or 800-366-5411.