

Date: February 18, 2021

To: Customized Living Service Providers

From: Minnesota Department of Human Services

RE: New Assisted Living Licensing Requirement

The Minnesota Department of Human Services (DHS), in collaboration with Minnesota Department of Health (MDH), is notifying you of important information and changes regarding the assisted living licensure requirements and the impact on your ability to provide customized living services to people on Elderly Waiver (EW), Brain Injury (BI) and Community Access for Disability Inclusion (CADI) waivers.

You must take action to continue to be eligible to deliver customized living services effective August 01, 2021.

New licensing requirement

The 2019 Minnesota Legislature enacted a law creating new licensing requirements for assisted living in Minnesota. The new assisted living licensure laws can be found in the 2020 [Minnesota Statutes, chapter 144G](#). The new assisted living licensure laws go into effect Aug. 1, 2021.

The assisted living licensure laws will apply to the customized living services on the following waiver programs: EW, BI, and CADI

Pending federal approval, to deliver customized living services or 24-hour customized living services on or after Aug. 1, 2021, a provider must:

- (1) be licensed as an assisted living facility under chapter 144G; **or**
- (2) be licensed as a comprehensive home care provider under [Minnesota Statutes, chapter 144A](#) and be delivering services in a setting defined under section [144G.08, subdivision 7, clauses \(11\) to \(13\)](#), such as:
 - Public housing buildings and developments
 - Section 202 (elderly) multi-family buildings
 - Section 811 (disability) multi-family buildings

A licensed home care provider is also subject to section [Minnesota Statutes, 256B.0651, subdivision 14](#).

Next Steps

1. Subscribe and participate in upcoming MDH Home Care and Assisted Living Teleconference Calls

MDH will be hosting multiple meetings to provide information regarding changes to the laws that affect home care, assisted living and housing with services providers (including customized living service providers). Please visit the [Home Care and Assisted Living Teleconference Calls](#) website for more dates and how to join.

2. Apply for an assisted living facility license

Assisted living facility license applications are not yet available. MDH plans to begin the application process on or around May 1, 2021. At that time, conversion applications will be available through the Improved Customer Service Delivery (ICSD) system. The application for new licensure will be posted to the MDH website.

3. Update your enrollment record with Provider Eligibility and Compliance

After you receive your assisted living facility license from MDH, you must submit a copy to DHS Provider Eligibility and Compliance. DHS will provide further instruction for customized living providers regarding this process in Spring 2021.

MDH resources for more information

- [MDH assisted living licensure website](#)
- **Assisted living licensure fact sheets:**
 - [Assisted Living Licensure in Minnesota \(PDF\)](#) Mar. 8, 2020, document that explains the new licensure and what changes will take place on Aug. 1, 2021.
 - [Assisted Living Licensure in Minnesota: Making the Transition \(PDF\)](#) July 23, 2020, document that explains new requirements for assisted living licensure.
 - [Assisted Living Licensure in Minnesota: Frequently Asked Questions \(PDF\)](#) Nov. 24, 2020, document with questions and answers on assisted living licensure.

Questions?

Questions about the Assisted Living Licensure requirement, contact MDH Assisted Living Licensure at 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