

Subject Community Residential Setting Licensure Requirements

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Overview

This bill exempts community residential settings from meeting licensing variance requirements in order to utilize alternate overnight supervision and establishes requirements in the chapter of statutes governing home and community-based services standards that these settings must meet when using alternate overnight supervision.

Summary

Section	Description
1	<p>Adult foster care; variance for alternate overnight supervision.</p> <p>Amends § 245A.11, subd. 7. Removes obsolete language and exempts community residential settings from meeting variance requirements in order to utilize alternate overnight supervision.</p> <p>Provides a January 1, 2024, effective date.</p>
2	<p>Alternate overnight supervision technology; adult foster care licenses.</p> <p>Amends § 245A.11, subd. 7a. Makes conforming changes related to exempting community residential settings from meeting DHS licensing requirements in order to utilize alternate overnight supervision.</p> <p>Provides a January 1, 2024, effective date.</p>
3	<p>Community residential settings; remote overnight supervision.</p> <p>Creates § 245D.261. Adds a section related to remote overnight supervision in community residential settings in the chapter of statutes governing home and community-based services standards.</p> <p>Subd. 1. Definitions. Defines “enabling technology,” “monitoring technology,” and “resident” for purposes of a section governing remote overnight supervision in community residential settings.</p>

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Subd. 2. Documentation of permissible remote overnight supervision. Lays out requirements a community residential setting license holder must meet when providing remote overnight supervision.

Subd. 3. Provider requirements for remote overnight supervision. Lists the actions a community residential setting license holder must take when providing remote overnight supervision, including: (1) using enabling technology; and (2) clearly stating in each person's support plan addendum that the setting is a program without the in-person presence of overnight direct support.

Subd. 4. Required policies and procedures for remote overnight supervision. Lists the policies and procedures that a community residential setting license holder must have in place when providing remote overnight supervision.

Subd. 5. Consent to use of monitoring technology. Requires community residential setting license holders to obtain a signed informed consent form from each resident served by the program or the resident's legal representative agreeing to the use of monitoring technology if that technology is used in the setting. Lists the information that must be included in the informed consent form.

Provides a January 1, 2024, effective date.



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