



4/17/2024

**RE: Concern with one section in the A11 Amendment to the Omnibus Bill
Changes to Resident Assessments in Assisted Living Settings**

Chair Noor and Members of the Human Service Finance Committee:

Our organizations advocate on behalf for resident rights in long term care settings, including assisted living and nursing homes. This past summer and fall, we participated in stakeholder discussions about providing some regulatory relief for small assisted living providers. Throughout that process, we have noted our objections to policies that would jeopardize resident rights or safety.

To that end, we believe that the current RN comprehensive assessment schedule in assisted living is critical for resident safety. Current law requires an every-90-day re-assessment by an RN after the initial assessment. These every-90 day comprehensive re-assessments require the RN to evaluate the resident's care needs and ensure the care plan is meeting the resident's needs. LPNs are allowed to do focused assessments, and they are important to inform the RN, but these should not replace a comprehensive assessment.

One section in the A11 amendment (Lines 2.3 to 3.7) represents a big departure from that standard. It would allow every other comprehensive assessment to become a focused assessment. This means residents would go from at least four annual comprehensive assessments to just two.

As nursing home populations have decreased over the last 30 years, the acuity of residents in assisted living and assisted living with dementia care has increased significantly. That was a big reason our organizations advocated for the creation of the Assisted Living law that became operational in 2021, making Minnesota the last state to license these types of settings.

A change like this is not without consequences and would apply to residents in all 2,000 licensed assisted living settings, not just small ones. We believe more time is needed to understand the needs of residents and patients in these settings before making changes to the assessment requirements. We are committed to working with all stakeholders to find solutions to issues but also ensure our regulatory systems protect the rights, health, and safety of Minnesotans in long term care settings.

Thank you,

Office of Ombudsman for Long Term Care
Office of Ombudsman for Mental Health and Developmental Disabilities
AARP Minnesota
Alzheimer's Association of Minnesota and North Dakota
Minnesota Elder Justice Center
Legal Aid