

# House Research Act Summary

**CHAPTER:** 246

**SESSION:** 2009 Regular Session

**TOPIC:** Home Health Care Regulation

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## Overview

This act modifies provisions related to enforcement of home health care provider licenses.

### Section

- 1**      **Regulatory functions.** Amends § 144A.45, subd. 2. Clarifies the commissioner of health's regulatory functions related to home health care by specifying that the commissioner must take actions authorized in Minnesota Statutes, § 144A.46, subd. 3, related to enforcement.
- 2**      **Medicaid reimbursement.** Amends § 144A.45, subd. 4. Updates statutory reference.
- 3**      **License required.** Amends § 144A.46, subd. 1. Adds that applicants for a home care license or for a renewal license must provide information to show the applicant meets the requirements for licensure. Removes obsolete language.
- 4**      **Exemptions.** Amends § 144A.46, subd. 2. Removes obsolete language and updates a statutory reference.
- 5**      **Enforcement.** Amends § 144A.46, subd. 3. Permits the commissioner of health to impose a conditional license for a violation of statute or rule related to home care services. Clarifies that a suspension of a provider's license may include terms that must be completed before the suspension is lifted. Provides terms that may be required by the commissioner when suspending a license or imposing a conditional license.

Requires providers to provide certain information within three days of receiving notice of final revocation or suspension of a home health care license and requires cooperation during the process of transferring care of clients. Requires notice to the clients, as well, when a provider's license is revoked or suspended.

Prohibits an owner or manager of a home care provider, whose license has been revoked or has not been renewed due to noncompliance, from obtaining other licenses in this chapter (including a home care license, which is in current law) and from being given status as an enrolled personal care assistance provider by the state department of human services (DHS). Permits the commissioner of DHS to terminate such status if the owner or manager already has enrollment status.

Makes technical changes.