

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Modifying Home and Community-Based Service Standards

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### Overview

This bill modifies certain licensing requirements for foster care providers and modifies the home and community-based services standards.

#### Section

- 1 Licensed foster care and respite care.** Amends § 245A.155, subd. 1. Clarifies that this section applies to foster care agencies and providers that care for individuals who rely on medical monitoring equipment to sustain life or monitor a medical condition that could become life-threatening without proper use of the medical equipment.
- 2 Foster care agency requirements.** Amends § 245A.155, subd. 2. Makes conforming changes.
- 3 Abuse prevention plans.** Amends § 245A.65, subd. 2. Adds language allowing a governing body's delegated representative to review and revise abuse prevention plans.
- 4 Working day.** Amends § 245D.02, by adding subd. 37. Defines "working day."
- 5 Health needs.** Amends § 245D.05, subd. 1. Allows for some flexibility in the timing of when the license holder must notify the person's legal representative and others of changes in the person's physical and mental health needs affecting health service needs assigned to the license holder.
- 6 Medication administration.** Amends § 245D.05, subd. 2. Removes language requiring the license holder to obtain annual reauthorization from the person or the person's legal representative to administer medication or treatment.

## Section

- 7 **Incident response and reporting.** Amends § 245D.06, subd. 1. Makes a technical and conforming change.
- 8 **Environment and safety.** Amends § 245D.06, subd. 2. Removes a requirement that CPR training include in-person instruction.
- 9 **Permitted actions and procedures.** Amends § 245D.06, subd. 7. Modifies allowable uses of restraint performed by a licensed health care professional.
- 10 **Service planning requirements for basic support services.** Amends § 245D.07, subd. 2. Clarifies timelines for completing, reviewing, and revising the preliminary coordinated service and support plan addendum.
- 11 **Service plan review and evaluation.** Amends § 245D.071, subd. 5. Modifies license holder requirements related to providing a written status report prior to a progress review meeting. Deems the license holder's submission of the coordinated service and support plan or plan addendum approved under certain circumstances and makes the plan or plan addendum effective until the legal representative or case manager submits a written request to revise the addendum.
- 12 **Staff qualifications.** Amends § 245D.09, subd. 3. Allows competency in certain areas to be determined through testing or observed skill assessment conducted by the trainer or instructor or by an individual previously deemed competent by the trainer or instructor.
- 13 **Annual training.** Amends § 245D.09, subd. 5. Exempts direct support staff from annual basic first aid training if the direct support staff has a current first aid certification.
- 14 **First aid must be available on site.** Amends § 245D.22, subd. 4. Removes a requirement that CPR training include in-person instruction.
- 15 **Staff ratio requirement for each person receiving services.** Amends § 245D.31, subd. 3. Removes language requiring certain documentation to be recorded on a standard assessment form required by the commissioner.
- 16 **Person requiring staff ratio of one to four.** Amends § 245D.31, subd. 4. Modifies the list of criteria a person must meet to be assigned a staff ratio requirement of one to four.
- 17 **Person requiring staff ratio of one to eight.** Amends § 245D.31, subd. 5. Modifies the list of criteria a person must meet to be assigned a staff ratio requirement of one to eight.
- 18 **Payments for residential support services.** Amends § 256B.4914, subd. 6. Removes language requiring the commissioner to establish a Monitoring Technology Review Panel. Makes technical and conforming changes.