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Subject: Licensure of prescribed pediatric extended care (PPEC) centers

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Overview

This bill directs the commissioner of health to license prescribed pediatric extended care centers, beginning September 1, 2017. These facilities provide nonresidential basic services to children who are medically complex or technologically dependent.

Section

- 1** **Definitions.** Adds § 144H.01. Defines terms: basic services, commissioner, licensee, medically complex or technologically dependent child, owner, prescribed pediatric extended care center, and supportive services or contracted services.
- 2** **Licensure required.** Adds § 144H.02. Prohibits a person from owning or operating a prescribed pediatric extended care center, or PPEC center, unless the center is licensed by the commissioner of health under this chapter.
- 3** **Exemptions.** Adds § 144H.03. Exempts facilities operated by a federal agency and facilities licensed under chapters 144 (hospitals and supervised living facilities) and 144A (nursing homes, boarding care homes, and hospices) from the licensing requirements of this chapter.
- 4** **License application and renewal.** Adds § 144H.04. Establishes a procedure and requirements for seeking licensure and for license renewal. Specifies that PPEC center licenses are not transferrable.
- 5** **Fees.** Adds § 144H.05. Specifies fees in blank amounts for initial license applications, license renewal, and late submission of a renewal application. Provides that fees are not refundable.

Section

- 6** **Application of rules for hospice services.** Adds § 144H.06. Provides that rules for hospice services and residential hospice facilities, administered by the commissioner of health, also apply to PPEC centers, except:
- part 4664.0390, subp. 1, items A, C, E (hours of service, licensed nurse on premises or on call at all times for facilities with four or fewer beds, registered nurse on call when not on duty)
 - part 4664.0420 (physical space for patient areas, privacy, visitors, furnishings)
 - part 4664.0425, subp. 3, item A; 4; 6 (policy regarding delegation of medication duties, supply of over-the-counter drugs, providing medication samples)
 - part 4664.0430, subp. 3-5, 7-12 (requirements for patient bedrooms, personal clothing and laundry, residential-type equipment, bathrooms, call systems, living spaces and lounges, and space for social activities)
 - part 4664.0520 (smoking policy)
- 7** **Services; limitations.** Adds § 144H.07. Requires PPEC centers to provide basic services to medically complex and technologically dependent children, based on a protocol of care established for each child. Allows a PPEC center to provide care up to 24 hours a day and up to 7 days a week. Prohibits a child from attending a PPEC center more than 14 hours in a 24-hour period. Prohibits a PPEC center from providing other services besides services to medically complex or technologically dependent children. Specifies that the maximum capacity for a PPEC center is 45 children.
- 8** **Administration and management.** Adds § 144H.08. Provides that the owner of a PPEC center has the full legal authority and responsibility for operation of the center, and requires the owner to designate an administrator who is responsible for overall management of the center. Lists duties for center administrators.
- 9** **Admission, transfer, and discharge policies; consent form.** Adds § 144H.09. Requires a PPEC center to have written policies for admitting, transferring, and discharging children, and requires a parent or guardian to sign a consent form before admitting a child to a PPEC center.
- 10** **Medical director.** Adds § 144H.10. Requires a PPEC center to have a medical director who is a physician licensed in Minnesota and certified by the American Board of Pediatrics.
- 11** **Nursing services.** Adds § 144H.11. Requires a PPEC center to have a nursing director who is a registered nurse licensed in Minnesota and who has specified expertise. Also establishes requirements that registered nurses, licensed practical nurses, and other direct care personnel (including nursing assistants and individuals trained in the fields of education, social services, or child care) must meet in order to be employed by a PPEC center.
- 12** **Total staffing for nursing services and direct care personnel.** Adds § 144H.12. Requires a minimum of one staff person providing direct care for every three children at a PPEC center.
- 13** **Medical record; protocol of care.** Adds § 144H.13. Requires a medical record and individualized nursing protocol of care to be developed, maintained, and appropriately signed for each child admitted to a PPEC center.

Section

- 14** **Quality assurance program.** Adds § 144H.14. Requires PPEC centers to have a quality assurance program.
- 15** **Inspections.** Adds § 144H.15. Allows the commissioner of health to inspect PPEC centers and center records at reasonable times to ensure compliance with this chapter and rules that apply to PPEC centers, and before issuing or renewing a license.
- 16** **Compliance with other laws.** Adds § 144H.16. Requires PPEC centers to:
- develop procedures for reporting suspected child maltreatment; and
 - comply with crib safety requirements in section 245A.146, to the extent they are applicable.
- 17** **Denial, suspension, revocation, refusal to renew a license.** Adds § 144H.17. Specifies grounds for denying, suspending, revoking, and refusing to renew a PPEC center license, and provides for a contested case hearing before suspending, revoking, or refusing to renew a license.
- 18** **Fines; corrective action plans.** Adds § 144H.18.
- Subd. 1. Corrective action plans.** Authorizes the commissioner to require a PPEC center to submit to a corrective action plan to remedy violations found by the commissioner.
- Subd. 2. Fines.** Authorizes the commissioner to issue a fine to a PPEC center, employee, or contractor, and lists factors for the commissioner to consider in determining fine amounts.
- 19** **Closing a PPEC center.** Adds § 144H.19. If a PPEC center voluntarily closes, requires a PPEC center to provide notice to the parents and guardians of children attending the center at least 30 days before the center closes.
- 20-23** Amends § 626.556, subs. 2, 3, 3c, 10d. Adds references to PPEC centers in section 626.556, the Maltreatment of Minors Act, to make PPEC centers subject to the reporting requirements and standards in that section.