

**Subject** Modifying the Corporate Foster Care Licensing Moratorium

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## Overview

This bill adds a new corporate foster care licensing moratorium exception for certain licensed assisted living facilities that are transitioning to licensure as a foster care or community residential setting, provides a temporary rate increase for customized living services provided under the brain injury (BI) or community access for disability inclusion (CADI) waivers, and provides direction to the commissioner of human services in processing corporate foster care moratorium exception applications.

## Summary

Section	Description
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1	<b>Licensing moratorium.</b>
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Amends § 245A.03, subd. 7. Modifies the list of exceptions to the corporate foster care licensing moratorium by adding an exception for new foster care or community residential setting licenses for a customized living setting that is a single-family home in which customized living or 24-hour customized living services were authorized and delivered on June 30, 2021, under the BI, CADI, or elderly waiver medical assistance home and community-based services waivers. Makes this exception available for any eligible setting licensed as an assisted living facility on or after August 1, 2021, if the assisted living licensee applies for a license under the chapter of statutes governing home and community-based services standards before June 30, 2023. Sets the initial licensed capacity of a setting under this exception at four. Specifies criteria under which this exception is available.

Provides a retroactive effective date of July 1, 2021.

2	<b>Temporary rate increase for disability waiver customized living rates.</b>
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Provides for a temporary medical assistance rate increase for customized living services provided under the BI and CADI waivers for services provided between July 1, 2023, and June 30, 2025.

Section	Description
3	<p><b>Direction to commissioner; foster care moratorium exception applications.</b></p> <p>Requires the commissioner of human services to:</p> <ol style="list-style-type: none"><li>1) expedite the processing and review of all new and pending applications for an initial foster care or community residential setting license under certain licensing moratorium exceptions;</li><li>2) include on the application for certain foster care or community residential setting licenses an opportunity for applicants to signify that they are seeking an initial foster care or community residential setting license to transition an existing operational customized living setting to a foster care or community residential setting;</li><li>3) determine if the applicant is eligible for an exception under the proposed new licensing moratorium exception; and</li><li>4) increase to four the licensed capacity of any setting for which the commissioner issued a license under a different licensing moratorium exception before final enactment of this act.</li></ol>

Specifies this section expires June 30, 2023.

Provides an immediate effective date.



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