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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2110**

02/08/2012 Authored by McDonald, Hosch, Schomacker, Hamilton, Benson, M. and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; modifying the long-term care consultation
1.3 requirements for prospective housing with services residents; amending
1.4 Minnesota Statutes 2011 Supplement, section 256B.0911, subdivision 3c.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2011 Supplement, section 256B.0911, subdivision 3c,
1.7 is amended to read:

1.8 Subd. 3c. ~~Consultation for~~ **Transition to housing with services.** (a) Housing
1.9 with services establishments offering or providing assisted living under chapter 144G
1.10 shall inform all prospective residents of the availability of and contact information
1.11 for transitional consultation services under this subdivision prior to executing a lease
1.12 or contract with the prospective resident. The purpose of transitional long-term care
1.13 consultation ~~for registered housing with services~~ is to support persons with current or
1.14 anticipated long-term care needs in making informed choices among options that include
1.15 the most cost-effective and least restrictive settings, and to delay spenddown to eligibility
1.16 for publicly funded programs by connecting people to alternative services in their homes
1.17 before transition to housing with services. Regardless of the consultation, prospective
1.18 residents maintain the right to choose housing with services or assisted living if that
1.19 option is their preference.

1.20 (b) ~~Registered housing with services establishments shall inform all prospective~~
1.21 ~~residents of the availability of long-term care consultation and the need to receive and~~
1.22 ~~verify the consultation prior to signing a lease or contract. Long-term care consultation~~
1.23 ~~for registered housing with~~ Transitional consultation services ~~is~~ are provided as
1.24 determined by the commissioner of human services in partnership with county long-term

2.1 care consultation units, and the area agencies on aging, and are a combination of
 2.2 telephone-based and in-person assistance provided under models developed by the
 2.3 commissioner. The consultation shall be performed in a manner that provides objective
 2.4 and complete information. ~~The service is delivered under a partnership between lead~~
 2.5 ~~agencies as defined in subdivision 1a, paragraph (d), and the Area Agencies on Aging, and~~
 2.6 ~~is a point of entry to a combination of telephone-based long-term care options counseling~~
 2.7 ~~provided by Senior LinkAge Line and in-person long-term care consultation provided by~~
 2.8 ~~lead agencies. The point of entry service~~ Transitional consultation must be provided
 2.9 within five working days of the request of the prospective resident as follows:

2.10 (1) ~~the consultation shall be performed in a manner that provides objective and~~
 2.11 ~~complete information~~ must be provided by a qualified professional as determined by
 2.12 the commissioner;

2.13 (2) the consultation must include a review of the prospective resident's reasons for
 2.14 considering ~~housing with services~~ assisted living, the prospective resident's personal
 2.15 goals, a discussion of the prospective resident's immediate and projected long-term care
 2.16 needs, and alternative community services or ~~housing with services~~ assisted living settings
 2.17 that may meet the prospective resident's needs; and

2.18 (3) the prospective resident shall be informed of the availability of ~~a face-to-face~~
 2.19 ~~visit~~ long-term care consultation services described in subdivision 3a that are available at
 2.20 no charge to the prospective resident to assist the prospective resident in assessment and
 2.21 planning to meet the prospective resident's long-term care needs; ~~and.~~ The Senior LinkAge
 2.22 Line and long-term care consultation team shall give the highest priority to referrals who
 2.23 are at highest risk of nursing facility placement or as needed for determining eligibility.

2.24 (4) ~~verification of counseling shall be generated and provided to the prospective~~
 2.25 ~~resident by Senior LinkAge Line upon completion of the telephone-based counseling.~~

2.26 (c) ~~Housing with services establishments registered under chapter 144D shall:~~

2.27 (1) ~~inform all prospective residents of the availability of and contact information for~~
 2.28 ~~consultation services under this subdivision;~~

2.29 (2) ~~except for individuals seeking lease-only arrangements in subsidized housing~~
 2.30 ~~settings, receive a copy of the verification of counseling prior to executing a lease or~~
 2.31 ~~service contract with the prospective resident, and prior to executing a service contract~~
 2.32 ~~with individuals who have previously entered into lease-only arrangements; and~~

2.33 (3) ~~retain a copy of the verification of counseling as part of the resident's file.~~