



The mission of Elder Voice Advocates is to champion solutions that prevent abuse, neglect, and exploitation – while promoting the highest standards of care for all vulnerable adults.

We, therefore, oppose SF1969/HF2080 in its current form, since this will degrade the quality of care provided. Several key changes proposed to Minn. Stat. §144G are detrimental to residents and in some instances are contrary to advancing the new assisted living law, which can lead to serious lapses in providing safe, quality care.

Of significant concern is the proposed change to Minn. Stat. §144G.70, subd. 2(c), which allows 90-day reassessments to be conducted and signed by a licensed practical nurse (LPN) rather than a registered nurse (RN). The 90-day assessment is a comprehensive assessment given it looks at the whole person, including physical, cognitive, emotional, mental, and behavioral health conditions. The education and experience of an RN is necessary to perform the referenced comprehensive assessment. LPNs are currently not licensed nor educated to perform comprehensive assessments. A focused assessment is generally reserved for a specific diagnosis or component under delegation by an RN after demonstrated competency. 90-day assessments do not focus on a specific, known condition, but rather reassess the whole person to ensure a proper plan of care for the resident. LPN educational programs do not provide the education background to perform comprehensive assessments. The proposed legislation is a dangerous path.

In addition, the proposed language in Minn. Stat. §144G.45, subd. 5 does away with key design standards. Not requiring minimum building design standards for new license applicants to provide services in existing buildings waives physical plant standards deemed necessary for new applicants to provide services in a safe manner to residents. Providers who were licensed to provide home care services prior to 8/1/2021 are already exempted from certain physical plant requirements. This exemption should not be extended to new applications involving existing buildings as well.

Elder Voice Advocates continues to study the impacts of other provisions to the bill. At this time, we oppose SF1969/HF2080 and do not support its passage into law. Thank you.