Minnesota Home Care Licensure Frequently Asked Questions

Introduction
- Minnesota home care providers are licensed by the Minnesota Department of Health (MDH).
- There are two license options available from the Home Care and Assisted Living Program: Comprehensive and Basic.
- The license a home care provider holds depends on the types of services offered.
- Temporary licenses are granted. They are effective for one year from the date of licensure.
- If services are delivered in a registered Housing with Services (HWS) establishment, the provider must hold a Comprehensive home care license.
- License fees are $4,200 for a Comprehensive license or $2,100 for a Basic license.
- It may take up to 60 days from receipt of application to process and issue a license.

Sources:

What Is Included in a Basic License?
- Assistance with dressing, self-feeding, oral hygiene, hair care, grooming, toileting, and bathing
- Providing standby assistance within arm’s reach for safety while performing daily activities
- Providing verbal or visual reminders to take regularly scheduled medication (includes bringing members previously set up medication, medication in original containers, or liquid or food to accompany the medication)
- Providing verbal or visual reminders to the member to perform regularly scheduled treatments and exercises
- Preparing modified diets ordered by a licensed health professional
- Laundry
- Housekeeping/other household chores
- Meal preparation
- Shopping

Source:

What Is Included in a Comprehensive License?
- Advanced practice nurse services
- Registered nurse services
- Licensed practical nurse services
- Physical therapy services
- Occupational therapy services
- Speech-language pathologist services
- Respiratory therapy services
- Social worker services
- Dietitian or nutritionist services
- Medication management services
• Delegated tasks to unlicensed personnel
• Hands-on assistance with transfers and mobility
• Providing eating assistance for clients with complicated eating problems (e.g., difficulty swallowing, recurrent lung aspirations, or requiring the use of a tube, parenteral, or intravenous instruments)
• Complex or specialty health care services
• Assistance with dressing, self-feeding, oral hygiene, hair care, grooming, toileting, and bathing
• Providing standby assistance within arm’s reach for safety while performing daily activities
• Providing verbal or visual reminders to take regularly scheduled medication (includes bringing clients previously set up medication, medication in original containers, or liquid or food to accompany the medication)
• Providing verbal or visual reminders to the client to perform regularly scheduled treatments and exercises
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Source:

Where Can Home Care Be Delivered?
Home care may be delivered in variety of settings, including the following:
• Individuals’ private homes
• Residential homes where there may be multiple members*
• Larger multi-unit establishments, often with communal dining and other shared spaces*

*These settings are known as Housing with Services (HWS) establishments. They may be required to register with the Minnesota Department of Health at an annual fee of $155 or they may hold an optional registration.

When is HWS Registration Required?
Registration is required if the HWS establishment provides sleeping accommodations to one or more adult residents, of which at least 80 percent are age 55 or over.

When is HWS Registration Optional?
Registration is optional if the HWS establishment provides sleeping accommodations to one or more adult residents, of which less than 80 percent are age 55 or over or the HWS establishment provides sleeping accommodations to one or more adult residents who meet the State’s definition of long-term homelessness. The Minnesota Housing Finance Agency defines long-term homelessness as “Individuals, unaccompanied youth, or families with children lacking a permanent place to live continuously for a year or more or at least four times in the past three years.”

Sources:
What Are the Specifics Regarding HWS Establishments?
They provide sleeping accommodations to one or more adult residents, at least 80 percent of whom are age 55 or over, and offer or provide for a fee, one or more regularly scheduled health-related services or two or more regularly scheduled supportive services, whether offered or provided directly by the establishment or by another entity arranged for by the establishment.

Source:

What Are the Restrictions Regarding Use of the Term “Assisted Living?”
MN Stat. sec.144G.02, subd. 1, addresses the protected title “Assisted Living” and its restrictions on use as follows:

No person or entity may use the phrase "assisted living," whether alone or in combination with other words and whether orally or in writing, to advertise, market, or otherwise describe, offer, or promote itself, or any housing, service, service package, or program that it provides within this state, unless the person or entity is a housing with services establishment that meets the requirements of this chapter, or is a person or entity that provides some or all components of assisted living that meet the requirements of this chapter. A person or entity entitled to use the phrase “assisted living” shall use the phrase only in the context of its participation in assisted living that meets the requirements of this chapter. A housing with services establishment offering or providing assisted living that is not made available to residents in all of its housing units shall identify the number or location of the units in which assisted living is available, and may not use the term "assisted living" in the name of the establishment registered with the commissioner under chapter 144D, or in the name the establishment uses to identify itself to residents or the public.

What Is Medicare Certification?
Licensed home care providers may apply to become Medicare-certified home health agencies (HHAs) after being found in substantial compliance with the initial full survey and receiving a Comprehensive home care license. The Basic home care license is not eligible for Medicare certification. Temporary licensees are also ineligible for Medicare certification. Medicare certification is a requirement for home care agencies that serve Alternative Care (AC) or waivered service recipients.

Source:

What Is an Integrated License?
Effective July 1, 2015, a home care license applicant or Basic or Comprehensive license holder may apply to the Commissioner of Health for a Home and Community Based Services (HCBS) designation on their license. The goal of integrated licensure between MDH and the Minnesota Department of Human Services (DHS) is to simplify the licensing requirements for licensed home care providers who are also providing basic support services as outlined in MN Stat. sec. 245D.03 that would otherwise require licensure under MN Stat. 245D. Integrated licensure allows them to apply for an HCBS designation on their home care license. The designation allows the license holder to provide basic support services that would otherwise require licensure under chapter 245D under the license holder’s home care license governed by sections 144A.43 to 144A.481.

Source:
Can Intensive Support Services Be Provided Under the Integrated License?
Home care agencies providing intensive support services under 245D must apply for and hold a 245D license. They must also be enrolled as a Minnesota Health Care Programs (MHCP) waiver provider.

Source:

Is There a Cost for the Integrated License?
The initial annual fee is $155 (in addition to an annual revenue-based home care license fee).

Source:

What Are the Basic Support Services?
MN Stat. sec. 245D.03, subd. 1.b, defines the following basic support services:

1. **In-home and out-of-home respite care services** as defined in section 245A.02, subdivision 15, and under the brain injury, community alternative care, community access for disability inclusion, developmental disability, and elderly waiver plans, excluding out-of-home respite care provided to children in a family child foster care home licensed under Minnesota Rules, parts 2960.3000 to 2960.3100, when the child foster care license holder complies with the requirements under section 245D.06, subdivisions 5, 6, 7, and 8, or successor provisions; and section 245D.061 or successor provisions, which must be stipulated in the statement of intended use required under Minnesota Rules, part 2960.3000, subpart 4;

2. **Adult companion services** as defined under the brain injury, community access for disability inclusion, and elderly waiver plans, excluding adult companion services provided under the Corporation for National and Community Services Senior Companion Program established under the Domestic Volunteer Service Act of 1973, Public Law 98-288;

3. **Personal support** as defined under the developmental disability waiver plan;

4. **24-hour emergency assistance, personal emergency response** as defined under the community access for disability inclusion and developmental disability waiver plans;

5. **Night supervision services** as defined under the brain injury waiver plan;

6. **Homemaker services** as defined under the community access for disability inclusion, brain injury, community alternative care, developmental disability, and elderly waiver plans, excluding providers licensed by the Department of Health under chapter 144A and those providers providing cleaning services only;

7. **Individual community living support** under section 256S.13; and

8. **Individualized home supports services as defined** under the brain injury, community alternative care, and community access for disability inclusion, and developmental disability waiver plans.

These basic support services are all DHS Tier 1 services.

Who Can I Contact for More Information?
– Maureen Melgaard-Schneider, Senior Services Manager
maureen.ms@primewest.org
1-320-444-6572