

## HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2379

02/20/2012 Authored by Gottwalt, Abeler, Loeffler and Anderson, D.,  
The bill was read for the first time and referred to the Committee on Health and Human Services Reform  
03/19/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Health and Human Services Finance  
03/30/2012 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act  
1.2 relating to human services; establishing certification requirements for adult foster  
1.3 care homes; amending Minnesota Statutes 2010, section 245A.03, by adding a  
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2010, section 245A.03, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 6a. **Adult foster care homes serving people with mental illness;**  
1.9 **certification.** (a) The commissioner of human services shall issue a mental health  
1.10 certification for adult foster care homes licensed under this chapter and Minnesota Rules,  
1.11 parts 9555.5105 to 9555.6265, that serve people with mental illness where the home is not  
1.12 the primary residence of the license holder when a provider is determined to have met  
1.13 the requirements under paragraph (b). The certification shall be printed on the license,  
1.14 and identified on the commissioner's public Web site. This certification is voluntary for  
1.15 license holders.

1.16 (b) The requirements for certification are:

1.17 (1) all staff working in the adult foster care home have received at least seven hours  
1.18 of annual training covering all of the following topics:

1.19 (i) mental health diagnoses;

1.20 (ii) mental health crisis response and de-escalation techniques;

1.21 (iii) recovery from mental illness;

1.22 (iv) treatment options including evidence-based practices;

1.23 (v) medications and their side effects;

1.24 (vi) co-occurring substance abuse and health conditions; and

2.1 (vii) community resources; and

2.2 (2) a mental health professional, as defined in section 245.462, subdivision 18, or a  
2.3 mental health practitioner as defined in section 245.462, subdivision 17, is available  
2.4 for consultation and assistance;

2.5 (3) there is a plan and protocol in place to address a mental health crisis; and

2.6 (4) each individual's Individual Placement Agreement identifies who is providing  
2.7 clinical services and their contact information, and includes an individual crisis prevention  
2.8 and management plan developed with the individual.

2.9 (c) License holders seeking certification under this subdivision must request this  
2.10 certification on forms provided by the commissioner and must submit the request to the  
2.11 county licensing agency in which the home is located. The county licensing agency must  
2.12 forward the request to the commissioner with a county recommendation regarding whether  
2.13 the commissioner should issue the certification.

2.14 (d) Ongoing compliance with the certification requirements under paragraph (b)  
2.15 shall be reviewed by the county licensing agency at each licensing review. When a county  
2.16 licensing agency determines that the requirements of paragraph (b) are not met, the county  
2.17 shall inform the commissioner and the commissioner will remove the certification.

2.18 (e) A denial of the certification or the removal of the certification based on a  
2.19 determination that the requirements under paragraph (b) have not been met by the adult  
2.20 foster care license holder are not subject to appeal. A license holder that has been denied a  
2.21 certification or that has had a certification removed may again request certification when  
2.22 the license holder is in compliance with the requirements of paragraph (b).