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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **564**

02/13/2013 Authored by Abeler and Loeffler

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to human services; modifying personal care assistance; amending
1.3 Minnesota Statutes 2012, section 256B.0659, subdivision 7, 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 2012, section 256B.0659, subdivision 7, is amended to
1.7 read:

1.8 Subd. 7. **Personal care assistance care plan.** (a) Each recipient must have a
1.9 current personal care assistance care plan based on the service plan in subdivision 6 that is
1.10 developed by the qualified professional with the recipient and responsible party. A copy of
1.11 the most current personal care assistance care plan is required to be in the recipient's home
1.12 and in the recipient's file at the provider agency.

1.13 (b) The personal care assistance care plan must have the following components:

1.14 (1) start and end date of the care plan;

1.15 (2) recipient demographic information, including name and telephone number;

1.16 (3) emergency numbers, procedures, and a description of measures to address
1.17 identified safety and vulnerability issues, including a backup staffing plan;

1.18 (4) name of responsible party and instructions for contact;

1.19 (5) description of the recipient's individualized needs for assistance with activities of
1.20 daily living, instrumental activities of daily living, health-related tasks, and behaviors; and

1.21 (6) dated signatures of recipient or responsible party and qualified professional.

1.22 (c) The personal care assistance care plan must have instructions and comments
1.23 about the recipient's needs for assistance and any special instructions or procedures
1.24 required, including whether or not the recipient has requested a personal care assistant

2.1 of the same gender. The month-to-month plan for the use of personal care assistance
2.2 services is part of the personal care assistance care plan. The personal care assistance
2.3 care plan must be completed within the first week after start of services with a personal
2.4 care provider agency and must be updated as needed when there is a change in need for
2.5 personal care assistance services. A new personal care assistance care plan is required
2.6 annually at the time of the reassessment.

2.7 Sec. 2. Minnesota Statutes 2012, section 256B.0659, is amended by adding a
2.8 subdivision to read:

2.9 Subd. 7a. **Special instructions; gender.** If a recipient requests a personal care
2.10 assistant of the same gender as the recipient, the personal care assistance agency must
2.11 fulfill the request.