

2.1 (6) mobility, including assistance with ambulation, including use of a wheelchair.

2.2 Mobility does not include providing transportation for a recipient;

2.3 (7) positioning, including assistance with positioning or turning a recipient for
2.4 necessary care and comfort; and

2.5 (8) toileting, including assistance with helping recipient with bowel or bladder
2.6 elimination and care including transfers, mobility, positioning, feminine hygiene, use of
2.7 toileting equipment or supplies, cleansing the perineal area, inspection of the skin, and
2.8 adjusting clothing.

2.9 (c) Health-related procedures and tasks include the following covered services:

2.10 (1) range of motion and passive exercise to maintain a recipient's strength and
2.11 muscle functioning;

2.12 (2) assistance with self-administered medication as defined by this section, including
2.13 reminders to take medication, bringing medication to the recipient, and assistance with
2.14 opening medication under the direction of the recipient or responsible party;

2.15 (3) interventions for seizure disorders, including monitoring and observation; and

2.16 (4) other activities considered within the scope of the personal care service and
2.17 meeting the definition of health-related procedures and tasks under this section.

2.18 (d) A personal care assistant may provide health-related procedures and tasks
2.19 associated with the complex health-related needs of a recipient if the procedures and
2.20 tasks meet the definition of health-related procedures and tasks under this section and the
2.21 personal care assistant is trained by a qualified professional and demonstrates competency
2.22 to safely complete the procedures and tasks. Delegation of health-related procedures and
2.23 tasks and all training must be documented in the personal care assistance care plan and the
2.24 recipient's and personal care assistant's files.

2.25 (e) Effective January 1, 2010, for a personal care assistant to provide the
2.26 health-related procedures and tasks of tracheostomy suctioning and services to recipients
2.27 on ventilator support there must be:

2.28 (1) delegation and training by a registered nurse, certified or licensed respiratory
2.29 therapist, or a physician;

2.30 (2) utilization of clean rather than sterile procedure;

2.31 (3) specialized training about the health-related procedures and tasks and equipment,
2.32 including ventilator operation and maintenance;

2.33 (4) individualized training regarding the needs of the recipient; and

2.34 (5) supervision by a qualified professional who is a registered nurse.

2.35 (f) Effective January 1, 2010, a personal care assistant may observe and redirect the
2.36 recipient for episodes where there is a need for redirection due to behaviors. Training of

3.1 the personal care assistant must occur based on the needs of the recipient, the personal
3.2 care assistance care plan, and any other support services provided.

3.3 (g) Instrumental activities of daily living under subdivision 1, paragraph (i).

3.4 (h) Notwithstanding subdivision 3, paragraph (b), personal care assistance services
3.5 may be furnished by a provider that controls the living arrangement, including licensed or
3.6 unlicensed services, when all of the following conditions are met and the service results in
3.7 a cost savings by supporting community-based care:

3.8 (1) the service is necessary to transition the individual from an acute care hospital
3.9 or, without the service, the individual would be admitted to an acute care hospital within
3.10 two days;

3.11 (2) the service must meet the definition of health-related procedures and tasks;

3.12 (3) the individual must be assessed to have at least one complex health-related need
3.13 in accordance with subdivision 4, paragraph (c), clause (4);

3.14 (4) the individual must be assessed to require and must be receiving nursing services;

3.15 (5) the individual must require assistance in at least one critical activity of daily
3.16 living;

3.17 (6) the individual must be offered a choice of providers and, if the individual elects
3.18 to receive personal care assistance services and nursing services from the same provider,
3.19 this choice must be documented in the individual's file; and

3.20 (7) the service does not duplicate any other covered service.