

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 2922**

(SENATE AUTHORS: WESTROM, Rosen, Draheim, Weber and Utke)

DATE  
05/20/2019

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Introduction and first reading  
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to health; changing an assisted living requirement; amending Minnesota
- 1.3 Statutes 2018, section 144G.03, subdivision 3.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2018, section 144G.03, subdivision 3, is amended to read:
- 1.6 Subd. 3. **Exemption from awake-staff requirement.** A housing with services
- 1.7 establishment that offers or provides assisted living is exempt from the requirement in
- 1.8 subdivision 2, paragraph (b), clause (7), item (i), that the person or persons available and
- 1.9 responsible for responding to requests for assistance must be awake, if the establishment
- 1.10 meets the following requirements:
- 1.11 (1) the establishment has a maximum capacity to serve ~~12~~ 16 or fewer assisted living
- 1.12 clients;
- 1.13 (2) the person or persons available and responsible for responding to requests for
- 1.14 assistance are physically present within the housing with services establishment in which
- 1.15 the assisted living clients reside;
- 1.16 (3) the establishment has a system in place that is compatible with the health, safety,
- 1.17 and welfare of the establishment's assisted living clients;
- 1.18 (4) the establishment's housing with services contract, as required by section 144D.04,
- 1.19 includes a statement disclosing the establishment's qualification for, and intention to rely
- 1.20 upon, this exemption;
- 1.21 (5) the establishment files with the commissioner, for purposes of public information
- 1.22 but not review or approval by the commissioner, a statement describing how the establishment

- 2.1 meets the conditions in clauses (1) to (4), and makes a copy of this statement available to  
2.2 actual and prospective assisted living clients; and
- 2.3 (6) the establishment indicates on its housing with services registration, under section  
2.4 144D.02 or 144D.03, as applicable, that it qualifies for and intends to rely upon the exemption  
2.5 under this subdivision.