

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2169

02/25/2014 Authored by 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; clarifying training requirements for staff in adult  
1.3 foster homes serving individuals with mental illness; amending Minnesota  
1.4 Statutes 2012, section 245A.03, subdivision 6a.

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

1.6 Section 1. Minnesota Statutes 2012, section 245A.03, subdivision 6a, is amended to  
1.7 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 a primary diagnosis of mental  
1.12 illness where the home is not the primary residence of the license holder when a provider  
1.13 is determined to have met the requirements under paragraph (b). This certification is  
1.14 voluntary for license holders. The certification shall be printed on the license, and  
1.15 identified on the commissioner's public Web site.

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 under paragraph (c) 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;

(vi) suicide intervention, identifying suicide warning signs, and appropriate responses;

(vii) co-occurring substance abuse and health conditions; and

~~(vii)~~ (viii) community resources;

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

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

(4) there is a crisis plan for each individual's Individual Placement Agreement ~~individual that~~ identifies who is providing clinical services and their contact information, and includes an individual crisis prevention and management plan developed with the individual.

(c) The training curriculum must be approved by the commissioner of human services and must include a testing component after training is completed. Training must be provided by a mental health professional or a mental health practitioner, or by an individual living with a mental illness or a family member of such an individual, who is from a nonprofit organization approved by the Department of Human Services to deliver mental health training. Staff must receive three hours of training in the areas specified in paragraph (b), clause (1), items (i) and (ii), prior to working alone with residents. The remaining hours of mandatory training, including a review of the information in paragraph (b), clause (1), item (ii), must be completed within six months of the hire date.

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

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

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