

4659.0140 INITIAL ASSESSMENTS AND CONTINUING ASSESSMENTS.**Subpart 1. Admissions.**

A. The assisted living director, in cooperation with the clinical nurse supervisor, is responsible for admitting residents to the facility according to the facility's admission policies.

B. Unless otherwise provided by law, an assisted living facility must not admit or retain a resident unless it can provide sufficient care and supervision to meet the resident's needs, based on the resident's known physical, mental, cognitive, or behavioral condition. The facility is in compliance with this provision if the resident has voluntarily elected to receive care and supervision for the resident's needs through the use of an unaffiliated service provider as permitted under Minnesota Statutes, section 144G.50, subdivision 2, paragraph (e), clause (4).

C. Prospective residents who are denied admission must be informed of the reason for the denial.

Subp. 2. Nursing assessment.

A. A nursing assessment or reassessment under Minnesota Statutes, section 144G.70, subdivision 2, paragraphs (b) and (c), must be conducted on a prospective resident or resident receiving any of the assisted living services identified in Minnesota Statutes, section 144G.08, subdivision 9, clauses (6) to (12).

B. The nursing assessment or reassessment under item A must:

- (1) address part 4659.0150, subpart 2, items A to N;
- (2) be conducted in person unless an exception under Minnesota Statutes, section 144G.70, subdivision 2, paragraph (b), applies;
- (3) be conducted using a uniform assessment tool that complies with part 4659.0150; and
- (4) be in writing, dated, and signed by the registered nurse who conducted the assessment.

Subp. 3. Individualized review.

A. An individualized review or subsequent review under Minnesota Statutes, section 144G.70, subdivision 2, paragraph (d), must be conducted for a prospective resident or resident receiving only the assisted living services identified in Minnesota Statutes, section 144G.08, subdivision 9, clauses (1) to (5).

B. An individualized initial review or review under Minnesota Statutes, section 144G.70, subdivision 2, paragraph (d), for a prospective resident or resident must:

- (1) address part 4659.0150, subpart 2, items A to C and N;
- (2) be conducted in person unless an exception under Minnesota Statutes, section 144G.70, subdivision 2, paragraph (b) applies;

(3) be conducted using a uniform assessment tool that complies with part 4659.0150; and

(4) be in writing, dated, and signed by the nurse who conducted the individualized review.

Subp. 4. Assessor; qualifications.

A. A registered nurse shall complete nursing assessments and reassessments required under Minnesota Statutes, section 144G.70, subdivision 2, paragraphs (b) and (c). Ongoing monitoring may be completed by other licensed nurses acting within the scope of their licenses under Minnesota Statutes, section 148.171.

B. A staff member who meets the qualifications in Minnesota Statutes, section 144G.60, subdivision 2, shall conduct the individualized initial review and subsequent reviews.

Subp. 5. Temporary service plan admission. If a facility admits an individual according to a temporary service plan under Minnesota Statutes, section 144G.70, subdivision 3, the nurse assessment must be conducted within 72 hours of initiating services.

Subp. 6. Consumer protections under temporary service plan. An individual who is admitted to an assisted living facility under a temporary service plan under Minnesota Statutes, section 144G.70, subdivision 3, and has not executed an assisted living contract shall receive the same consumer protections and rights under Minnesota Statutes, chapter 144G, provided to a resident who has executed an assisted living contract.

Subp. 7. Weekend assessments. An assisted living facility must be able to conduct a nursing assessment on a holiday or on a weekend for a resident who is ready to be discharged from the hospital and return to the facility.

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