

325F.72 DISCLOSURE OF SPECIAL CARE STATUS REQUIRED.

Subdivision 1. **Persons to whom disclosure is required.** Housing with services establishments, as defined in sections 144D.01 to 144D.07, that secure, segregate, or provide a special program or special unit for residents with a diagnosis of probable Alzheimer's disease or a related disorder or that advertise, market, or otherwise promote the establishment as providing specialized care for Alzheimer's disease or a related disorder are considered a "special care unit." All special care units shall provide a written disclosure to the following:

- (1) the commissioner of health, if requested;
- (2) the Office of Ombudsman for Long-Term Care; and
- (3) each person seeking placement within a residence, or the person's authorized representative, before an agreement to provide the care is entered into.

Subd. 2. **Content.** Written disclosure shall include, but is not limited to, the following:

- (1) a statement of the overall philosophy and how it reflects the special needs of residents with Alzheimer's disease or other dementias;
- (2) the criteria for determining who may reside in the special care unit;
- (3) the process used for assessment and establishment of the service plan or agreement, including how the plan is responsive to changes in the resident's condition;
- (4) staffing credentials, job descriptions, and staff duties and availability, including any training specific to dementia;
- (5) physical environment as well as design and security features that specifically address the needs of residents with Alzheimer's disease or other dementias;
- (6) frequency and type of programs and activities for residents of the special care unit;
- (7) involvement of families in resident care and availability of family support programs;
- (8) fee schedules for additional services to the residents of the special care unit; and
- (9) a statement that residents will be given a written notice 30 days prior to changes in the fee schedule.

Subd. 3. **Duty to update.** Substantial changes to disclosures must be reported to the parties listed in subdivision 1 at the time the change is made.

Subd. 4. **Remedy.** The attorney general may seek the remedies set forth in section 8.31 for repeated and intentional violations of this section. However, no private right of action may be maintained as provided under section 8.31, subdivision 3a.

History: *1Sp2001 c 9 art 1 s 57; 2002 c 379 art 1 s 113; 2007 c 147 art 7 s 75*