

144G.10 ASSISTED LIVING FACILITY LICENSE.

Subdivision 1. **License required.** Beginning August 1, 2021, no assisted living facility may operate in Minnesota unless it is licensed under this chapter. The licensee is legally responsible for the management, control, and operation of the facility, regardless of the existence of a management agreement or subcontract. Nothing in this chapter shall in any way affect the rights and remedies available under other law.

Subd. 2. **Licensure categories.** (a) The categories in this subdivision are established for assisted living facility licensure.

(1) The assisted living facility category is for assisted living facilities that only provide assisted living services.

(2) The assisted living facility with dementia care category is for assisted living facilities that provide assisted living services and dementia care services. An assisted living facility with dementia care may also provide dementia care services in a secured dementia care unit.

(b) An assisted living facility that has a secured dementia care unit must be licensed as an assisted living facility with dementia care.

Subd. 3. **Licensure under other law.** An assisted living facility licensed under this chapter is not required to also be licensed as a boarding establishment, food and beverage service establishment, hotel, motel, lodging establishment, resort, or restaurant under chapter 157.

Subd. 4. **Violations; penalty.** (a) Operating an assisted living facility without a license is a misdemeanor, and the commissioner may also impose a fine.

(b) A controlling individual of the facility in violation of this section is guilty of a misdemeanor. This paragraph shall not apply to any controlling individual who had no legal authority to affect or change decisions related to the operation of the facility.

(c) The sanctions in this section do not restrict other available sanctions in law.

History: 2019 c 60 art 1 s 3,47

NOTE: This section, as added by Laws 2019, chapter 60, article 1, section 3, is effective August 1, 2021. Laws 2019, chapter 60, article 1, section 3, the effective date.