

245A.042 HOME AND COMMUNITY-BASED SERVICES; ADDITIONAL STANDARDS AND PROCEDURES.

Subdivision 1. **Standards governing the provision of home and community-based services.** Residential and nonresidential programs for persons with disabilities or age 65 and older must obtain a license according to this chapter to provide home and community-based services defined in the federal waiver plans governed by United States Code, title 42, sections 1396 et seq., or the state's alternative care program according to section 256B.0913, and identified in section 245D.03, subdivision 1. As a condition of licensure, an applicant or license holder must demonstrate and maintain verification of compliance with:

(1) licensing requirements under this chapter and chapter 245D;

(2) applicable health care program requirements under Minnesota Rules, parts 9505.0170 to 9505.0475 and 9505.2160 to 9505.2245; and

(3) provider standards and qualifications identified in the federal waiver plans or the alternative care program.

Subd. 2. MS 2024 [Repealed, 2025 c 38 art 5 s 34]

Subd. 3. MS 2024 [Repealed, 2025 c 38 art 5 s 34]

Subd. 4. MS 2024 [Repealed, 2025 c 38 art 5 s 34]

Subd. 5. **Compliance education required.** The commissioner must make licensing compliance education available to all license holders operating programs licensed under both this chapter and chapter 245D. The licensing compliance education must include clear and accessible explanations of achieving and maintaining compliance with the relevant licensing requirements under this chapter and chapter 245D.

[See Note.]

Subd. 6. **Legal resources required.** If requested by a license holder that is (1) subject to an enforcement action under section 245A.06 or 245A.07, and (2) operating a program licensed under this chapter and chapter 245D, the commissioner must provide the license holder with a list of legal resources.

History: 2012 c 216 art 18 s 4; 2013 c 108 art 8 s 13; 2014 c 312 art 27 s 7; 1Sp2025 c 9 art 2 s 2,3

NOTE: Subdivision 5, as added by Laws 2025, First Special Session chapter 9, article 2, section 2, is effective January 1, 2027. Laws 2025, First Special Session chapter 9, article 2, section 2, the effective date.