

S.F. No. 3816 – Long-Term Care Consultation Services Recodification

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S.F. No. 3816 is the result of a revisor’s instruction that was enacted in Laws 2021, chapter 30, article 12, section 6, paragraph (a). The bill proposes to reorganize Minnesota Statutes, section 256B.0911. This section of statute governs long-term care consultation services, including MnCHOICES assessments.

Article 1 of the bill contains the long-term care consultation services recodification and **article 2** contains conforming changes to other statutes.

This recodification is primarily achieved by repealing the existing long-term care consultation services language and reenacting it as new, reorganized language. The primary purpose of this recodification is to better organize this statute without making any policy or fiscal changes. The draft also renders the statute easier to read.

In addition, three subdivisions related to long-term care options counseling are being moved out of Minnesota Statutes, section 256B.0911, and into the section of statute governing the Board on Aging, where other long-term care options counseling language currently exists.

Finally, obsolete language has been removed.

DHS also provided updated terminology that has been incorporated throughout.

Below is a table that shows how the language has been reorganized.

Long-Term Care Consultation Services Recodification

Proposed section coding and headnote	Proposed subdivision coding and headnote	Current coding
256B.0911 Long-term care consultation services	Subd. 1. Purpose and goal	256B.0911, subd. 1
	Subd. 10. Definitions – definitions of “preadmission screening” and “long-term care options counseling for assisted living” are new.	256B.0911, subd. 1a, paras (a), (c), (d), (e), (f), (g), (h), (i); and subd. 3a, para (j), clause (2)
	Subd. 11. Long-term care consultation services	256B.0911, subd. 1a, para (a), clauses (1) to (11), and para (b), clauses (1) to (4); and subd. 3a, para (h)
	Subd. 12. Exception to use of MnCHOICES assessment; contracted assessors	256B.0911, subd. 1a, para (b)
	Subd. 13. MnCHOICES assessor qualifications, training, and certification	256B.0911, subd. 2b, paras (a), second sentence, and (b); and subd. 2c, first and last sentences only
	Subd. 14. Use of MnCHOICES certified assessors required	256B.0911, subd. 2b, para (a), first and third sentences; subd. 2c, fourth sentence; subd. 3, paras (d) and (e)
	Subd. 15. Long-term care consultation team	256B.0911, subd. 3, paras (a), (b), and (c)
	Subd. 16. MnCHOICES certified assessors; responsibilities	256B.0911, subd. 2b, para (a), fourth and fifth sentences
	Subd. 17. MnCHOICES assessments	256B.0911, subd. 3a, paras (a), first and last sentences only, (b), (c), and (d), only the first sentence
	Subd. 18. Exception to use of MnCHOICES assessment; long-term care consultation team visit; notice	256B.0911, subd. 3a, para (a), second and third sentences
	Subd. 19. MnCHOICES assessments; third-party participation	256B.0911, subd. 3a, para (d), the second sentence to the end of the para

	Subd. 20. MnCHOICES assessments; duration of validity	256B.0911, subd. 3a, paras (k), (l), and (m)
	Subd. 21. MnCHOICES assessments; exceptions following institutional stay	256B.0911, subd. 3a, para (n)
	Subd. 22. MnCHOICES reassessments	256B.0911, subd. 3f
	Subd. 23. MnCHOICES reassessments; option for alternative and self-directed waiver services	256B.0911, subd. 3a, paras (o), (p), and (q)
	Subd. 24. Remote reassessments	256B.0911, subd. 3a, para (r)
	Subd. 25. Reassessments for Rule 185 case management	256B.0911, subd. 3g
	Subd. 26. Determination of institutional level of care	256B.0911, subd. 4e
	Subd. 27. Transition assistance	256B.0911, subd. 3b
	Subd. 28. Transition assistance; nursing home residents under 65 years of age	256B.0911, subd. 4d, paras (c), (d), (e), (f), (g), (h), and (i)
	Subd. 29. Support planning	256B.0911, subd. 3a, paras (e), (f), (g)
	Subd. 30. Assessment and support planning; supplemental information	256B.0911, subd. 3a, para (j)
	Subd. 31. Assessment and support planning; right to final decision	256B.0911, subd. 3a, para (i)
	Subd. 32. Administrative activity	256B.0911, subd. 5
	Subd. 33. Payment for long-term care consultation services	256B.0911, subd. 6
256.975 Minnesota Board on Aging	Subd. 7e. Long-term care options counseling for assisted living	256B.0911, subd. 3c
	Subd. 7f. Exemptions from long-term care options counseling for assisted living	256B.0911, subd. 3d

	Subd. 7g. Long-term care options counseling at hospital discharge	256B.0911, subd. 3e
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Repeals the following: Minnesota Statutes, section 256B.0911, subdivisions 1a, 2b, 2c, 3, 3a, 3b, 3f, 3g, 4d, 4e, 5, and 6.

Instructs the revisor to renumber the following: Minnesota Statutes, section 256B.0911, subdivisions 3c, 3d, and 3e.