

S.F. No. 758 – Community Residential Settings License Requirements Modification

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S.F. No. 758 substitutes new licensing requirements for community residential settings using remote overnight supervision for an existing licensing variance required for these settings to use alternative overnight supervision.

Section 1 (section 245A.11, subdivision 7) strikes obsolete language and exempts community residential settings from the licensing variance requirements for the use of alternative (i.e., remote) overnight supervision.

Section 2 (section 245A.11, subdivision 7a) modifies the existing licensing requirements for the use of alternative (i.e., remote) overnight supervision by removing community residential settings from the requirements that continue to apply to adult foster care settings.

Section 3 [245D.261] creates new licensing requirements for community residential settings using remote overnight supervision.

Subdivision 1 defines “enabling technology,” “monitoring technology,” and “resident.”

Subdivision 2 permits the use of remote overnight supervision in a community residential setting only if a determination has been made and documented in the person's support plan or support plan addendum that a resident does not require the presence of direct support staff overnight.

Subdivision 3 establishes the requirements for using remote overnight supervision, which include notice and documentation requirements, establishing a maximum permissible response time, using a device capable of live two-way communication or engagement between a resident and direct support staff at a remote location, an evaluation of each notification that a resident needs on-site assistance, and the presence of assistance on-site with the required response time following notification of a need for the physical presence of assistance.

Subdivision 4 establishes requirements regarding written policies and procedures related to the use of remote overnight supervision.

Subdivision 5 requires signed informed consent from the resident prior to the use of remote overnight supervision.