



Office of
Ombudsman for
Long-Term Care

mn MINNESOTA
OFFICE OF OMBUDSMAN
FOR MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES



MINNESOTA
ELDER JUSTICE
CENTER



March 3, 2024

To: Senator Hoffman and Members of the Health Financing Committee

From: Office of the Ombudsman for Long-Term Care, Office of the Ombudsman for Mental Health and Developmental Disabilities, AARP Minnesota, Alzheimer's Association, MN Elder Justice Center, Legal Aid

Re: Support for Senator Hoffman's bill **SF 4044** (Resident Protections for Vulnerable Adults Living in HUD and Low-Income Tax Credit (LITC) Housing Receiving Assisted Living Services)

Dear Senator Hoffman and Members of the Committee:

Our organizations are writing in strong support of your bill (**SF 4044**), which protects vulnerable residents living in HUD and Low-Income Tax Credit Facilities who are receiving assisted living services.

When the Minnesota Legislature in 2019 passed the landmark Eldercare and Vulnerable Adult Protection Act in response to horrific cases of elder abuse, HUD and Low-Income Tax Credit (LITC) Facilities were exempted from the law, not because the residents weren't vulnerable, but rather with how the facilities interact with a federal agency (HUD) or are financed.

This means residents in these settings – who are identically situated as those in licensed facilities – **do not receive the same resident protections**. Yet, these residents are just as vulnerable including those having significant mental health and cognitive impairments. According to DHS data, a majority of residents have a mental health disorder (91%) and or a cognitive disorder (82%).

Thus, we urge lawmakers to close this gap to better serve all vulnerable Minnesotans in need of assisted living services. This would include the following protections found in Chapter 144 G intended to protect residents:

- *protections against arbitrary terminations and unsafe relocations in the event of termination*
- *protections against retaliation*
- *robust appeal rights*
- *standards around safety, staffing, and training requirements including protections for people with dementia*

Thank you in advance for your support of this important legislation.