



March 14, 2025

The Honorable John A. Hoffman
Chair, Human Services Committee
Minnesota Senate
2111 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Jordan Rasmusson
Ranking Minority Member, Human Services Committee
Minnesota Senate
2409 Minnesota Senate Bldg.
St. Paul, MN 55155

Re: Legal Aid/Minnesota Disability Law Center of Opposition to SF 2055

Dear Chair Hoffman, Ranking Minority Member Rasmusson, and Members of the Committee:

Legal Aid and the Minnesota Disability Law Center (MDLC) thank you for the opportunity to provide written testimony regarding our concerns with SF 2055.

In 2019, Minnesota took the major step to regulate assisted living facilities. The legislature recognized that the licensure of assisted living facilities and a recitation of rights of assisted living residents was essential to protect the wellbeing of Minnesotans who reside in these facilities. Since the law became effective in 2021, Minnesota Statue Chapter 144G has worked to strengthen the rights of people who reside in Assisted Living facilities so that they are not subject to arbitrary discharges and other forms of abuse or neglect.

SF 2055 is an effort to chip away at the rights and protections found in Chapter 144G and represents a backslide for the state of Minnesota. For example, the bill shortens the length of time required for pre-termination meetings and notices for so-called “expedited termination” (lines 1.18-1.21 and 3.9). The bill also tries to set requirements for the Office of Administrative Hearings on when and how they must conduct and rule on discharge appeal hearings (lines 5.22-6.16). It is likely that providers will rely on these provisions to rush the discharge process, impacting residents’ due process rights and putting their ability to locate new housing at risk.

Moreover, the bill creates an exemption from the termination notice content requirements, stating that providers do not actually need to comply with these rules as long as they make a “good faith effort” to do so (lines 4.4-4.6). Such a standard is both unworkable and

unnecessary. Minn. Stat. § 144G.52, subd. 8, lists nine clear requirements that must be included in a termination notice. There is no reason that assisted living providers cannot read the statute, create a notice template that complies with the statute, and use that template. The “good faith effort” exception is not necessary and will allow facilities to provide defective notices, impacting residents’ due process rights.

The bill also gives assisted living providers new rights in housing court, while continuing to keep residents out of that forum (lines 6.21-22). During the original discussions of this law in 2019, there was an agreement that assisted living discharges would not be heard in housing court. Allowing providers access to housing court remedies while denying those remedies to residents creates unnecessary inequities in our system.

Finally, the bill changes the Coordinated Moves requirements by stating that assisted living providers only need to identify two locations that will accept the residents to comply with their statutory obligations (lines 7.13-7.16). The purpose of the Coordinated Moves statute is to ensure that a person has a **safe** location to go to if they are discharged. The proposed language says nothing about whether the identified locations are safe for the residents, potentially putting their wellbeing at risk.

SF 2055 is both unnecessary and harmful for assisted living residents. Rather than work to degrade the legal protections of 144G, assisted living providers should educate themselves on the requirements of the law,ⁱ and then comply with it to ensure the wellbeing of the residents that they are paid to serve.

Thank you for the opportunity to submit written testimony regarding SF 2055. We urge you to vote against this bill.

Sincerely,



Jennifer Purrington
Legal Director/Deputy Director
Minnesota Disability Law Center



Ellen Smart
Staff Attorney
Legal Services Advocacy Project

This document has been formatted for accessibility. Please call Ellen Smart at 612/746-3761 if you need this document in an alternative format.

ⁱ The Minnesota Department of Health has created numerous materials to assist Assisted Living providers with this task:

<https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html>