

Minn. Stat. sec. 144A.XX

Subdivision 1. **Unified Home Care Bill of Rights.** A person who receives home care services has these rights:

- (1) The right to receive home care services subject to accepted health care, medical, or nursing standards;
- (2) The right to take an active part in developing, modifying and evaluating the service plan, the right to receive care and services according to an up-to-date and agreed upon service plan based on the client's individual needs; and to be told in advance of any recommended changes in this plan;
- (3) The right to be informed orally and in writing, before services are initiated, what the charges are for services, including what payment may be expected from health insurance, public programs, or other sources, if known; what charges the client may be responsible for; and at least 30 calendar days' written notice of changes in the fee schedule;
- (4) The right to be treated with courtesy and respect, including respect of one's property, and one's civil rights and liberties, such as freedom from bias and harassment regarding race, gender, age, disability, spirituality and sexual orientation; freedom to associate with others; and the right to privacy;
- (5) The right to be free from abuse, neglect, financial exploitation, and all forms of maltreatment defined under the Vulnerable Adults Act and the Maltreatment of Minors Act;
- (6) The right to be informed of the current contact information of protection and advocacy services, including the appropriate state or county agency, and information for reporting suspected abuse, neglect or financial exploitation;
- (7) The right to express concerns or complaints about services that are provided, or failed to be provided, and be informed of the license holder's complaint policy;
- (8) The right to at least 30 calendar days' written notice of the termination of service(s) by the license holder, along with the reason for termination, that shall include: (1) the effective date of termination; (2) contact information for a reasonable number of other home care providers in the geographic area of the client; (3) the name and contact information of a representative of the license holder with whom the client may discuss the termination; and (4) other information required in Minnesota Statutes, section 144A.4791, subd. 10.
  - a. The 30-day requirement is not required in cases where:
    - i. The client engages in conduct that significantly alters the terms of the service plan with the licensed provider;
    - ii. The client, person who lives with the client, or others create an abusive or unsafe work environment for the individual(s) providing the services;

- iii. An emergency or significant change in the client's condition has resulted in service needs that exceed the current service plan and that cannot be safely met by the licensed provider; or
- iv. The provider has not received payment for services, for which at least ten calendar days' advance notice of the termination of a service shall be provided.

(9) The right to refuse or terminate services and be informed of the potential consequences of doing so;

(10) The right to choose freely among available providers and to change providers after services have begun, within the limits of health insurance, long-term care insurance, medical assistance, or other health programs; and to be provided access to information about these services;

(11) The right to participate with the current home care provider in coordinating with a new provider of services to ensure continuation of needed service;

(12) The right to have access to information related to landlord-tenant laws and those rights and responsibilities listed in Minnesota Chapter 504B when services are provided in a housing with services establishment and/or when the license holder is the owner, lessor, or tenant of the service site;

(13) The right to give or withhold written informed consent to participate in any research or experimental treatment;

(14) The right to assert these rights personally, or have them asserted by the client's representative as defined in Minnesota Statutes, section 144A.43, subdivision 1e, without retaliation.