On behalf of the Minnesota HomeCare Association (MHCA), I want to thank you for the opportunity to provide comments and work collaboratively on the revisions to a unified home care bill of rights. We appreciate your willingness to incorporate many of comments from the LTC Imperative and MHCA and believe the fourth version is a great improvement.

The main disagreement MHCA has with the latest revision involves the proposed notice period if the licensee is terminating a client’s home care services. Home care agencies have been operating with a 10 day notice and our members have significant concerns over the momentous change to 30 days. We had been willing to compromise with a 21 day notice however that compromise has not been acceptable to MDH. We are aware of situations where providing care for an additional 30 days would not be possible for a provider. With the growing workforce issues, this could be a real challenge. There are areas in greater Minnesota where temp agencies do not have staff to cover these situations and the difficulty can be compounded when a new business such as Costco opens, recruiting staff away from home care agencies. We do not believe that a requirement to provide a 30 day notice in these situations is reasonable. If you are not willing to re-consider the 21 day compromise, would you consider adding another exception that would cover situations caused by a change in workforce, leaving a provider unable to meet the needs of the client?

MHCA joins the LTC Imperative in a request to better understanding of the department’s basis for rejecting several of our recommendations.

* We believe that the header for the revised bill of rights would be far more understandable for clients if it would be named “Home Care Bill of Rights” or perhaps “Minnesota Home Care Bill of Rights.” Continuing to use the term “Unified” Home Care Bill of Rights will likely lead to further confusion.
* We are also curious why the issue of informed consent to research or experimental treatment has been introduced into the bill of rights, since home care agencies do not prescribe or order treatments.

We look forward to continuing to work together on improvements to the home care law, including the Bill of Rights and appreciate our good working relationship with you and your staff.