

May 18, 2017

Mr. Gilbert Acevedo
 Ms. Nancy Omondi
 Minnesota Department of Health
 625 Robert St N
 St Paul, MN 55164

Dear Gil and Nancy,

MHCA initiated a dialogue with MDH to clarify the dementia training requirements for MHCA members last summer. As an association, we firmly believe that appropriate dementia training is essential for home care providers and we are committed to supporting this requirement as well as providing applicable resources and information to our members. The question has not been whether dementia training is required, but how much is required. The Minnesota Statute 144D.065 and Minn. Stat. 144A.4796 requirements include different requirements.

I believe we are all in agreement that licensed home care providers that are considered the *establishment's arranged provider* for a housing with services (HWS) entity must meet the requirements at Minn. Stat. 144D.065 Training in Dementia Care Required. Because MHCA members are primarily not arranged providers for the registered HWS establishment but are home care service providers to individuals (often not even at a HWS establishment), they have been following the Minn. Stat. 144A.4796 requirement and MDH's recent interpretation of this statute is causing significant confusion by providers and trade associations.

Minnesota Statute 144D.065	Minnesota Statute 144A.4796
<p>Summary: Registered HWS that has a special program or unit for residents with Alzheimer's disease or other dementias or advertises, markets, or otherwise promotes the establishment as providing services for persons with Alzheimer's disease or other dementias, whether in a segregated or general unit, employees of the establishment and of the establishment's arranged home care provider must meet the following training requirements:</p> <ul style="list-style-type: none"> ▪ All new employees hired after January 1, 2016 must have a minimum of 4 or 8 hours of dementia training within either 120 or 160 days of work. ▪ Ongoing, each employee providing service to an individual in these settings 	<p>For home care providers that provide services for persons with Alzheimer's or related disorders, all direct care staff and supervisors working with those clients must receive training that includes:</p> <ul style="list-style-type: none"> ▪ A current explanation of Alzheimer's disease and related disorders ▪ Effective approaches to use to problem-solve when working with a client's challenging behaviors ▪ How to communicate with clients who have Alzheimer's or related disorders.

Mission: MHCA represents and supports Minnesota home care providers committed to high quality home care service.

Vision: MHCA will shape the home care landscape to improve and sustain quality care services.

<p>must have 2 hours of annual training based on the employee's date of hire.</p> <ul style="list-style-type: none"> ▪ Employees that have been hired prior to January 1, 2016 must have 2 hours of dementia training on an annual basis. 	
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As a part of the clarification process mentioned above, one of MHCA nurse consultants, Lores Vlaminc sent questions to Mary Absolon and Jeri Cummins September 22, 2016. In addition to other correspondence, Lores and another nurse consultant, Connie Dreyer participated in a conference call December 12, 2016 with Mary Absolon, Cathy Griffin and Jeri Cummins. Because MHCA has not yet received the clarification we requested prior to the February 2, 2017 Quarterly MDH Stakeholder meeting, we raised the issue and shared the attached SBAR document (a bullet was subsequently updated). At that meeting, MHCA, LeadingAge MN and CareProviders all shared that we believe MDH is mis-interpreting the actual statute. The statute, in our estimation, does not state how many hours of dementia training must be provided by non-establishment non-arranged home care providers.

I have sent numerous emails requesting a response since the February meeting. We learned just prior to our Annual Meeting that MDH was going to address dementia training but we did not yet know what would be covered. I received an email from Susan Winkelman on May 9, 2017 re-visiting the statutes, which we are well aware of – and in agreement with.

The presentation at the MHCA Annual Meeting did not include touch on the requirements for non-establishment non-arranged providers, but following the presentation, Lores Vlaminc and I had a conversation with Pam Kerksen and were informed that MDH will be sending a bulletin with a “clarification” that ALL home care providers must follow the Minnesota Statute 144D.065.

We would appreciate an opportunity to meet and discuss this prior to a bulletin being sent. I strongly believe in collaboration and partnerships and would like to see us work together on this issue to ensure that clients are being cared for by appropriately trained providers, statutes are being adhered to and providers have sufficient clarification on this topic. I am concerned that a bulletin from MDH prior to sufficient understanding by the associations would lead to more angst and confusion not to mention consumers who are left to believe they are restricted from choosing home care providers already compliant with Minnesota Statute 144A.4796 but who are not the HWS establishment's arranged provider. We are here to partner and would like to be a part of the solution and communication process.

I recommend that MHCA, LeadingAge MN and CareProviders representatives attend the meeting and we would gladly host it. Kevin Goodno, shareholder at Fredrikson & Byron and MHCA Government Relations Counsel, Rob Rodè, partner at Voigt, Rodè & Boxeth law firm and member of MHCA Survey and Regulatory Analysis Team will be a part of the MHCA representation as well as one or both of our nurse consultants.

Thank you for your consideration!

Best Regards,



Kathy Messerli
Executive Director