New Minnesota Law to Prevent Elder Abuse

While long-term care facilities provide important care for many Minnesota seniors, these seniors have also been vulnerable to abuse. This year AARP fought hard and won far reaching legislation designed to protect Minnesotans from abuse. The new law requires assisted living facilities to be licensed and sets minimum standards around safety, staffing, and training requirements, including protections for people with dementia.

The law also establishes strong protections against arbitrary discharges, retaliation, and the right to place a camera in both nursing homes and assisted living facilities. Learn when these important protections go into effect.

Immediate Consumer Protections

- **Protections against retaliation** in Nursing Homes, Housing with Service Establishments, and Assisted Living Facilities
- **Maltreatment Fund Established** to fund created to compensate victims of substantiated maltreatment findings ($1,000 or $5,000)
- **Minnesota Department of Health must prioritize complaints about termination** to reduce harmful transfers
- **Funding for LTC Ombudsman Office** to hire 27 more staff to help people advocate for their rights
- **Disclosure of Mandatory Arbitration Clauses**

January, 2020 Protections

- **Right to Place Camera** in Nursing Homes, Housing and Services, and Assisted Living Facilities (Notification to facility is required except in cases family feels retaliated against.)

August, 2021 Protections

- **Assisted Living Facilities Must be licensed**
  - Two Levels: Assisted Living Facilities and Assisted Living with Dementia Care
  - Assessments must be done prior to move-in and 24 hour awake-staff
  - Assisted Living Administrators must be Certified and Trained
  - One Contract and Accountability Entity for both housing and services.
- **Robust Termination and Appeal Rights**
  - Limits reasons to terminate a housing contract and establishes a resident's right to appeal a termination of services.
  - Requires facility to engage in robust relocation planning to a safe and appropriate place.
- **'I'm Okay' Checks**
  - Requires Independent Living facilities to clearly spell out what services are included in wellness checks.

If you suspect abuse, contact:
Minnesota Adult Abuse Reporting Center (MAARC) at 1-844-880-1574. Long-Term Care Ombudsman at 1-800-657-3591 (TDD/TTY, please call 711).