



Questions & Answers DHS's ADS Modified Licensing Requirements (Current as of: August 14, 2020)

On June 30, 2020 the Minnesota Department of Health and Human Services (DHS) posted document communicating [modified licensing requirements for adult day centers that resume facility operation during the peacetime emergency](#). On August 14, DHS shared [additional modifications to amended licensing requirements](#).

The purpose of this document is to supplement DHS's guidance by listing common questions based upon the guidance.

-
1. How many participants can I serve in my setting?
Occupancy is limited to no more than 50% of the licensed capacity (including staff) of the facility. Staff providing care must be calculated into the percentage of number of people in the program.
 2. What mitigation strategies must be in place?
Maintain social distancing and 10 person (including staff) cohorts throughout the day, with these requirements:
 - common areas must be marked to provide at least 6 feet for social distancing;
 - seating spaces must be rearranged to maximize space between people; and
 - partitions and barriers of sufficient dimension and appropriate material must be used, e.g., plexiglass or taut heavy plastic curtains stretched and secured, as necessary, for physical barriers between cohorts.
 3. How many hours can I provide services to participants in my setting?
Shifts are limited to 4 hours not including transportation time. You can have multiple shifts in a day as long as no one participant is in the program longer than 4 hours. Appropriate cleaning and disinfecting must take place between shifts.
 4. Can a bath be billed as additional time outside of the 4 hour timeframe for services?
No, if a person is receiving traditional adult day services and getting a bath during that time, it would fall within the 4 hours.
 5. Can I have all participants together in one space or do I need to plan for small group cohorting?
Participants should be placed in groups of 10 or less, including staff. Cohorts should be separated physically even in a large open space. Cohorts should be kept as consistent as possible. Staff for

individual cohorts should be kept as consistent as possible.

6. Is there any specific signage that must be posted in the building?

Yes, DHS is requiring signage posted throughout the building supporting social distancing, traffic flow, and handwashing. The COVID-19 Preparedness Plan should also be posted in a visible location in the building.

7. Is there direction on how participants should be seated during activities or when in small groups together?

Yes. DHS is requiring participants be seated at least six feet apart. Whenever possible, participants should be facing the same direction, and not facing one another.

8. Are we still required to provide meals to participants?

Yes. One meal should be provided each day regardless of how long the participant is in the program. A snack does not count as a meal.

9. Can a participant receive virtual and on-site services?

Yes. A participant can receive services virtually and on-site. They can have both types of services within the same day as well.

10. Which participants can return to the program?

It is important to consider a person's health status prior to returning to in person group activities. There are no current limits on who may participate in the program. Individuals who live in congregate settings may attend adult day, provided that the congregate setting has not had any COVID-19 exposure in the last 28 days. Congregate settings include:

- **Housing with services establishments registered under Minnesota Statutes, Chapter 144D and operating assisted living as defined under Minnesota Statutes, section 144G.02, subdivision 1;**
- **Housing with services establishments registered under Minnesota Statutes, Chapter 144D and required to disclose special care status under Minnesota Statutes, section 325F.72;**
- **Licensed adult foster care under Minnesota Rules 9555.6105 – 955.6265; or**
- **Community residential settings under Minnesota Statutes, section 245D.02, subdivision 4a.**

11. If all of the residents of a group home receive services at the same adult day center, can they attend the center?

Yes, people who live in congregate settings such as group homes may attend adult day centers.

12. How long are we able to provide virtual services?

Virtual services are permissible through June of 2021. If this changes, we will update the FAQ and notify members.

13. Can we admit new clients to the program?

Yes, new clients can be admitted to both the on-site program and virtual services. All intake, assessments and other care planning requirements are in effect for all new participants, regardless of whether they participate in traditional or Alternative Adult Day Services.

14. Are there special documents we need to file or have complete?

Yes, there are documents that should be completed.

- a. **If you are offering remote services through Alternative Adult Day Services you will need to complete the [Notification of Operation of Alternative Adult Day Services](#).**
- b. **If you are resuming in-person services, you will need to complete the [Notification about Resuming Facility Operation for Adult Day Centers](#).**
- c. **Complete the [COVID-19 Preparedness Plan](#) and have on-site. This plan is also to be posted within the program and is to be made available to participants and participant representatives.**

15. Can providers who are located within a Housing With Services establishment or connected to a care center reopen and serve clients in the center?

Yes, this is allowed. There is no limitation on what types of licensed adult day centers may reopen, provided they are following the guidelines.

16. Can remote programming offered through Alternative Adult Day Services serve more than six participants if a ratio of 1:6 is maintained? **Providers can offer Alternative Adult Day services remotely (e.g. virtual group activity) to groups of no more than six people. Requests for an exception to this limit for clients on disability waivers, can be submitted to the dsd.responsecenter@state.mn.us**

17. Can more than one person at a time receive Alternative Adult Day Services 1:1 in the center if they are in separate parts of the building? **No, the requirement for Alternative Adult Day Services is to limit this to one person in the building at a time.**

18. Can a provider offer traditional and Alternative Adult Day Services in the center at the same time?

No. The intent of delivering alternative adult day services is to deliver services 1:1, not in a group setting. Providers can deliver alternative adult day services to one person at a time in the center, but if they are delivering traditional group-based services at the same time, then the person receiving alternative services would not be the only person in the center. Therefore, it is not possible to deliver alternative and traditional adult day services in the center at the same time.

Other Resources:

[Minnesota Department of Health \(MDH\)](#)

[Centers for Disease Control and Prevention \(CDC\)](#)

[CDC guidance for facilities – Cleaning Guidance](#)

[Notification About Resuming Facility Operation for Adult Day Centers](#)

[COVID-19 Preparedness Plan](#)