



April 26, 2021

Dear Representative Liebling and House Members,

We are writing to share the Long-Term Care Imperative's perspective with respect to the House Omnibus Health and Human Services (HHS) policy and finance bill (HF2128).

Minnesota is facing the largest population of seniors in U.S. history. 60,000 Minnesotans will turn 65 this year and every year this decade. By next year, there will be more than a million seniors in Minnesota, and we project that 70 percent of older Minnesotans will need some type of senior care.

The current state of senior care in Minnesota is one of extreme stress, having shouldered a disproportionate impact of COVID 19 in the past year, the network of services and supports for Minnesota's seniors has become increasingly fragile. Furthermore, the pandemic has exacerbated an already extreme shortage of senior care workers in our field. At the same time, a key segment of the senior care network, assisted living providers, are preparing to convert to a new licensure system by June 1, 2021. The Long-Term Care Imperative approached this legislative session identifying strategies to address the most critical needs of the sector, including COVID 19 relief and recovery, workforce and smooth implementation of new assisted living regulations.

HF2128 has missed important opportunities to address some of these critical needs and has included some policy changes that could be disruptive to the smooth implementation of new regulations. However, we remain hopeful that as this legislation continues to move through the process that lawmakers will consider these issues.

We are most concerned that the bill does not include hero pay bonuses for senior care workers that have worked tirelessly throughout the pandemic. This proposal was introduced as HF2221. We remain hopeful that as lawmakers continue discussions on spending of American Rescue Plan dollars, this will be a top priority. Hero pay for senior care workers is vital to recognize the extraordinary work of these individuals and to support retention efforts of our sector. We estimate that providers have nearly 10,000 open positions in our field and that 25,000 additional caregivers will be needed to meet growing demand in the next decade. Hero pay would be a small step to help stabilize our workforce by lifting up and honoring this profession.

We are also disappointed that the bill fails to make critical investments in the nursing home moratorium exceptions process, which will help address critical infrastructure needs in our nursing homes, and the Elderly Waiver program, which providers aid to low income seniors seeking care outside nursing homes.

We are encouraged that the bill is taking steps to address the backlog of finger print background checks and look forward to working with the authors and the respective agencies to ensure a smooth transition for all employees affected by the transition.

There are two sections that we are supportive of and thank you for including these in your bill:

Article 3 Section 59 Services with residents with Dementia: We support this technical change, and we believe that this is a change that is supported by all stakeholders. It is critical that this language be adopted as soon as possible, as without this change, most secured memory care providers will not meet the basic requirements of

licensure by the application deadline of June 1, 2021. This could create significant serve disruptions for an extremely vulnerable population.

Article 3 Section 98 Housing with services establishment registration; conversion to an assisted living facility license. We support this technical change and is important to ensure timely implementation of the 2019 assisted living licensure law.

There are two other sections of the bill with which we have strong concerns:

Article 14, section 32 & section 33: While we are grateful that you have attempted to address concerns we have previously expressed with regard to the continuation of customized living payments in settings that are exempt from assisted living licensure, the language currently in these provisions do not fully address our concerns and raise more questions than answers. The net impact of this language is that it creates a moratorium for these settings, by only allowing payments to continue for clients that are served on or before June 30, 2022. There is no plan in place to address how these individuals would be cared for after this date. Section 33 seeks to impose certain requirements on these exempt settings, but this raises more questions than answers, as it seeks to impose housing requirements onto a licensed home care provider that may not have any control over the housing aspects of these settings.

Article 3, section 57: The Long-Term Care Imperative opposes this section and requests that it be deleted from the legislation. It seeks to modify the definition of an assisted living facility for purposes of determining which facilities would need to be licensed under the new law that takes effect this year. It would greatly expand the scope to include many independent senior living settings. We were proud to support the assisted living licensure law of 2019, and that legislation reflected the work and consensus of several stakeholders and state agencies. Any subsequent work to amend the assisted living licensure law was also only done if all stakeholders agreed to proposed changes. This provision is not a consensus item and was never heard in a committee to fully explore the impacts of the proposal. A change of this magnitude just weeks before the application deadline would be extremely disruptive and unfair for a group of independent senior housing providers.

The Long-Term Care Imperative looks forward to continuing conversations and is happy to serve as a resource going forward.

Sincerely,



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Cc: Representative Jennifer Schultz

Representative Dave Pinto