

Minnesota Department of Health (MDH) and Minnesota Department of Human Services (DHS) Guide for Assisted Living and Home Care Providers

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Minnesota's regulatory system can seem complex. MDH and DHS oversee different parts of your operations, and in many situations, both agencies' rules and oversight work together. Providers can be unsure which agency to call, who licenses what, or how the two systems connect. This guide will help you navigate the organizations.

At a high level, this document provides the functions managed by each agency for assisted living and home care providers.

Minnesota Department of Health (MDH)

MDH is the state agency that licenses, inspects, and enforces the law or statutes and any applicable rules for assisted living and home care.

Minnesota Department of Human Services (DHS)

DHS is the state agency that manages Medicaid programs, waiver services (Medicaid-funded supports that help people stay at home or in their community instead of moving to a nursing facility), provider enrollment, billing rules, and background studies.

Assisted Living and Home Care Licensure At-a-Glance: MDH and DHS

This graphic shows where MDH and DHS may be most relevant to providers seeking an assisted living or home care license.

Please note: This summary only pertains to assisted living and home care. Other caregiving service licenses are regulated by different guidelines and may interact with MDH and DHS in distinct ways.

- ✓ Managed by this agency for Assisted Living and Home Care
- ✗ Not managed by this agency for Assisted Living and Home Care
- ⚠ Partially managed or required by this agency for Assisted Living and Home Care

	MDH	DHS
Licensure	✓	⚠
Health and safety standards and policies	✓	✗
Surveys, inspections, and compliance	✓	✗
Complaints and maltreatment	✓	✓
Billing regulations (e.g., Medicaid)	✗	✓
Background studies	⚠	✓



What you should know:

- MDH is the main agency involved in licensure for assisted living providers. Basic and comprehensive home care licensees who do *not* provide [home and community-based services \(HCBS\)](#) under Minnesota statutes, chapter 245D (e.g., 24-hour emergency assistance, respite care) are also fully managed by MDH. DHS is only involved with basic

and/or comprehensive home care providers if they apply for a [home care integrated license](#).

- Background studies are managed by DHS. However, MDH requires them for assisted living and home care providers.

MDH and DHS Comparison Table for Assisted Living and Home Care Providers

	Minnesota Department of Health (MDH)	Minnesota Department of Human Services (DHS)
Description	Licenses, inspects, and enforces statutes and applicable rules for assisted living and home care.	State agency that manages Medicaid services, waiver programs, billing, and background studies.
Licensure Responsibilities	- Assisted Living (144G) - Basic and Comprehensive Home Care (144A)	245D providers - Adult Foster Care (245A/245D)
Oversight Focus	Oversees health and safety, surveys, inspections, and compliance for health care facilities.	Oversees Medicaid funding, waiver programs, provider enrollment, and billing rules.
Enforcement Areas	- Resident rights - Quality of care - Staffing, training, infection control - Medication management - Physical plant/building requirements, surveys, complaints, enforcement actions	- Billing rules and documentation - Medicaid rates and payment - HCBS/waiver service requirements - Personal care assistant (PCA) and personal assistance services (PAS) - Correct use of Medicaid funds - Provider enrollment standards
Complaints and Maltreatment	MDH, through the Office of Health Facility Complaints (OHFC), is the leading investigative agency for complaints and maltreatment of health care providers licensed by MDH.	Houses the common entry point, Minnesota Adult Abuse Reporting Center (MAARC), for vulnerable adult reports. MAARC screens, reports and makes necessary referrals to appropriate investigative agencies.
Medicaid, Waivers, and Billing	MDH does not regulate billing.	- Customized living payment and service rules - Medicaid billing questions - Minnesota Health Care Programs (MHCP) provider enrollment - Service authorizations

		• PCA services and other waiver supports
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MDH Main Contacts

Phone: 651-201-5000

Website: <https://www.health.state.mn.us/>

<u>Assisted Living Licensure</u>	For questions about: • Licensing • Surveys and investigations • Corrections and enforcement • Facility requirements
<u>Home Care Licensure (Basic and Comprehensive)</u>	For questions about: • Home care license requirements • Survey readiness • Reporting maltreatment • Policies, forms, and updates
<u>Office of Health Facility Complaints (OHFC)</u>	Lead investigative agency for MDH-licensed health care providers regarding: • Licensing or quality of care complaints • Abuse, neglect, or health/safety concerns • Resident rights OHFC does not investigate billing concerns, medical clinics, or personal care attendants.
<u>Health Care Provider Directory</u>	Look up and/or verify addresses, phone numbers, administrator names, and state registration or licensure status for Minnesota health care providers.
<u>Background Studies</u>	Requires background studies for MDH-licensed providers. Studies must be run through the <u>DHS NETStudy 2.0 system</u>. Runs NETStudy 2.0, the system that performs background studies.

DHS Main Contacts

Phone: 651-431-2000

Website: <https://mn.gov/dhs/>

<u>Background Studies (NETStudy 2.0)</u> DHS Background Study Division Contact: • Phone: 651-431-6620 • Email: dhs.netstudy2@state.mn.us NETStudy 2.0 Portal Login	In this system: • Background study submissions • Disqualification letters • Reconsiderations • NETStudy 2.0 login issues • Fingerprint/photo questions
<u>Medicaid Provider Enrollment for Minnesota Health Care Programs (MHCP)</u>	Home care or assisted living billing under Minnesota Medical Assistance or Medicaid: • Enrollment issues • National Provider Identifier and electronic data interchange questions • Billing setup • Recertification
<u>HCBS Waiver and 245D Licensing</u>	For providers delivering: • Customized living (CL) • 245D services • PCA/PAS services • Other waiver supports
<u>Office of the Ombudsman or Long-Term Care</u>	Supports Minnesota adults who need or receive long-term care by protecting their rights and supporting their well-being. The service is free and works with individuals, families, and care providers to resolve concerns.
<u>Minnesota Adult Abuse Reporting Center (MAARC)</u>	Any vulnerable adult abuse, neglect, or exploitation complaint.