

Guide to Reading Regulations

This material was prepared by Stratis Health under contract with The Minnesota Department of Health (MDH). Use of this tool is not mandated by MDH, nor does its completion ensure regulatory compliance.

Who makes the law?

When you operate an Assisted Living Facility or a Home Care Agency in Minnesota, you must follow the laws made by three levels of government: federal, state, and local. Each level has its own purpose, and each creates its own laws that you must follow as a provider. Understanding who creates the law is the first step in learning how to read, understand, and apply regulations correctly.

For more information on federal, state, and local levels of oversight, access [Overview of Healthcare Regulations and Oversight \[8_Overview of Regulations\]](#).

This table shows federal, state, and local regulation considerations for assisted living and home care.

	Assisted Living	Home Care
Federal	There are no federal regulations specific to assisted living licensees.	There are no federal regulations specific to state-only home care licensees.
State	Minnesota Statute Chapter 144G. Assisted Living Minnesota Administrative Rules Chapter 4659. Assisted Living Facilities	Minnesota Statute Chapter 144A. Nursing Homes and Home Care
Local	For the care environment Including but not limited to: • Building codes • Zoning ordinances • Fire marshal • Fire inspection schedules • Fire safety rules • Building permits • Public health and environmental health ordinances such as waste disposal, water/sewer connections, and food service	For office premises Including but not limited to: • Building codes • Zoning ordinances • Fire marshal • Fire inspection schedules • Fire safety rules • Building permits • Public health and environmental health ordinances such as waste disposal and water/sewer connections

	Assisted Living	Home Care
	Local registrations such as business licensing and rental dwelling permits Accessibility, parking, signage and site standards	Local registrations such as business licensing Accessibility, parking, signage and site standards

Use official sources.

Laws and rules can change quickly, and sometimes updates happen with little notice. To stay compliant, you should only use official and current sources. Using outdated or unofficial versions can lead to mistakes, missed updates, or violations of state or federal requirements. Always make sure you are reading the most recent version from the proper federal, state, or local authority before making decisions or writing policies.

Federal Laws: Code of Federal Regulation (CFR)

Federal laws apply mainly to organizations that receive Medicare or Medicaid funding or take part in federal reimbursement programs. For the most up-to-date information, check the [Code of Federal Regulation \(CFR\)](#), which contains the official, enforceable rules. Centers for Medicare & Medicaid Services (CMS) also publishes guidance for surveyors, but updates may not always occur immediately. No federal regulations specific to assisted living or state-only home care licensees exist.

State Laws: Minnesota Statutes

Minnesota statutes include the state's main laws. These laws may be updated each year when the legislature meets. State statutes do not include temporary laws, special local laws, or budget bills. Those appear in the "[session laws](#)." Online Minnesota statutes are updated yearly on the [Minnesota legislature's official website](#).

License-specific statutes:

- [Assisted Living: Minnesota Statutes Chapter 144G](#)
- [Home Care: Minnesota Statutes Chapter 144A](#)

For a small cost, printed and bound copies of Minnesota statutes, laws, and rules are available for purchase through [Minnesota Government Publications](#), including the combined [Home Care and Assisted Living Laws and Rules](#) book.

Local Laws: City and County Laws

City and county governments establish local requirements that affect where and how providers operate. These may include zoning regulations, building and fire codes, and public health standards.

Many Minnesota cities and counties make their ordinances available online through the [Minnesota State Law Library's local ordinances directory](#). Because local requirements can change and vary by jurisdiction, it is important to confirm details using official local sources.

Common sources include:

- City municipal code websites.
- County ordinance websites.
- City or county zoning and planning offices.
- Fire marshal or fire department.
- City building permit and inspection departments.

Understand the structure of statutes.

Laws and regulations are organized in layers. Knowing how each part fits together will help you read, understand, and apply the rules correctly. Statutes start with broad topics and then become more detailed.

Chapter: A chapter groups laws that deal with the same topic. Start here to understand the overall subject and get important background information.

Section: A section is a specific law inside a chapter. Sections explain what is required, what is allowed, or what procedures must be followed. Each section is legally binding on its own.

Subdivision (Subd.): A subdivision is a numbered part of a section. It breaks the law into smaller pieces and focuses on one main idea or requirement.

Paragraph: A paragraph is a lettered part of a subdivision. It gives more detail and explains how the rule applies. When a subdivision has several conditions, paragraphs help organize them.

Clause: A clause is a numbered part within a paragraph. Clauses often list steps, conditions, or criteria. They are important because one clause can create an exception or change how another clause works.

Item (or Sub-clause): Items break clauses into even smaller parts. They describe specific details that may all need to be met. Items help you understand exactly what the law requires.

Look for the purpose statement.

A purpose statement explains *why* a regulation was created and *what* it is meant to achieve. Not every law includes a purpose statement, and it may not be clearly labeled. When it is included, you can often find it in the first subdivision of a section, in a “scope” or “applicability” section, or in the introduction at the start of a chapter.

A simple way to apply a purpose statement is to ask: *“What is this law trying to make sure happens?”*

Read statutory definitions.

When you read a law, always start with the definitions at the beginning of the chapter. These definitions explain exactly what each term means in the law, and the legal meaning is often different from how people use the word in everyday life.

It is just as important to know what not to do.

- Do not skip words you do not understand.
- Do not try to guess the meaning of a term based only on the sentence around it.
- Do not assume familiar words like “person,” “facility,” or “provider” have their normal meaning.

Minnesota Statute Definitions:

- [Definitions for Chapter 144G Assisted Living](#)
- [Definitions for Chapter 144A Home Care](#)
- [Definitions for Chapter 626.557 Reporting of Maltreatment of Vulnerable Adults](#)
- [Definitions for Chapter 260E Reporting of Abuse Minors](#)

Find key terms and action words.

When you read regulations, certain words tell you exactly what is needed, what is allowed, and what is not allowed. These words have legal meaning, and they directly affect how you interpret and follow the rules.

Pay close attention to action words such as *must*, *may*, *shall*, *and*, *or*, *unless*, and *if*. These words help you understand what the law expects, when exceptions apply, and how different parts of a rule work together. Knowing these terms will help you avoid misunderstandings that could affect compliance, licensure, or daily operations.

Key Words Used in Regulations

Word or phrase	Plain meaning	What it means for providers
Must or shall	Required	You are legally required to do it every time.
May	Allowed or optional	You can do it, but you do not have to.

Word or phrase	Plain meaning	What it means for providers
And	Both conditions apply	You must follow all parts connected by “and.”
Or	One or the other applies	You can follow either possibility, but not both unless the rule says so.
Including but not limited to	These examples are not the only options	You must consider other possibilities, even if they are not listed.
At least	Minimum requirement	You can do more (but not less) than what is said.
No later than	Deadline	You must complete the requirement by the stated time.
Unless	Exception	The rule applies except in the situation described after this word.
If	Condition	Something must be true before the rule applies.
Only	Limit	Your actions are restricted to what is listed. No more, no different.

Cross-References

A cross-reference is a citation in a statute or rule that directs you to another law, subdivision, rule part, or definition. Cross-references provide important context by showing how requirements fit together. They help prevent misunderstandings and clarify when one rule expands on, limits, or overrides another.

When you see a cross-reference, always read the entire referenced section, not just the sentence that seems relevant. Key details like definitions, exceptions, conditions, or additional requirements are often found elsewhere in that section. Some cross-references point to federal regulations or national standards (such as CMS).

Phrases That Signal a Cross-Reference

Look for words and phrases such as:

- As required
- In accordance with/according to
- See
- As specified in
- Consistent with

Effective Dates

Always check when a law or rule takes effect, because changes do not apply until the effective date. Some laws take effect right away, while others start on a future date, roll out in phases, or include transition periods. If a regulation has been amended, make sure you are reading the current version.

In Minnesota statutes, effective dates for recent legislation are usually listed in the [session laws](#), not in the statute text itself. While some statute sections include notes at the end that show amendments or repeals, the official effective date still appears in the session laws.

The most reliable approach to determine effective dates is to:

- Review the statute on the Revisor of Statutes website.
- Check the “History” section under the statute, which links to the session law (year, chapter, and article) where the provision was enacted or amended.

If the effective date is still unclear, consult the [session laws](#) directly or seek guidance from a legal or regulatory expert.

Staying Up to Date

To stay current, build a routine or set up a reminder to check for changes. A quick monthly or quarterly review helps ensure you are following current rules, not older versions or laws that have not started yet. Simple ways to keep up to date include:

- Sign up for [Minnesota Department of Health \(MDH\) email updates](#).
- Sign up for [Minnesota Department of Human Services \(DHS\) email updates](#).
- Regularly review [the Board of Executives for Long Term Services and Supports \(BELTSS\) website](#).
- Check the [Minnesota State Register](#) for new laws.
- Review statutes and rules at the start and end of each Minnesota legislative session.
- Follow updates from agencies, boards, and associations. You can find a full list of resources on the [assisted living](#) and [home care](#) pages of the MDH website.

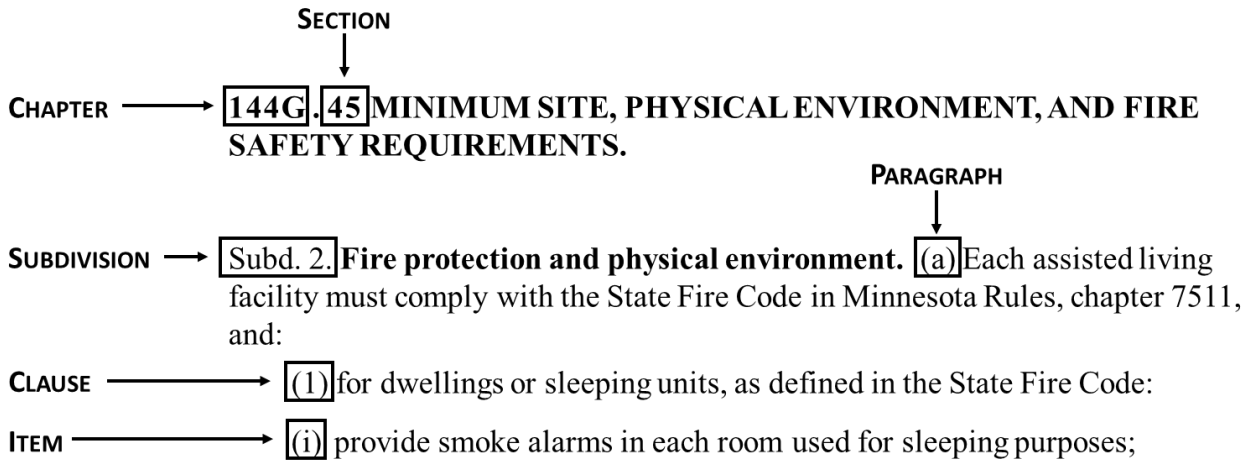
Consult legal counsel.

Health care regulations are complex. When you have questions or need help understanding a law, talk with legal or compliance experts or an attorney who specializes in health care law. These specialists can help you interpret requirements correctly and avoid mistakes.

Understanding and Applying a Statute

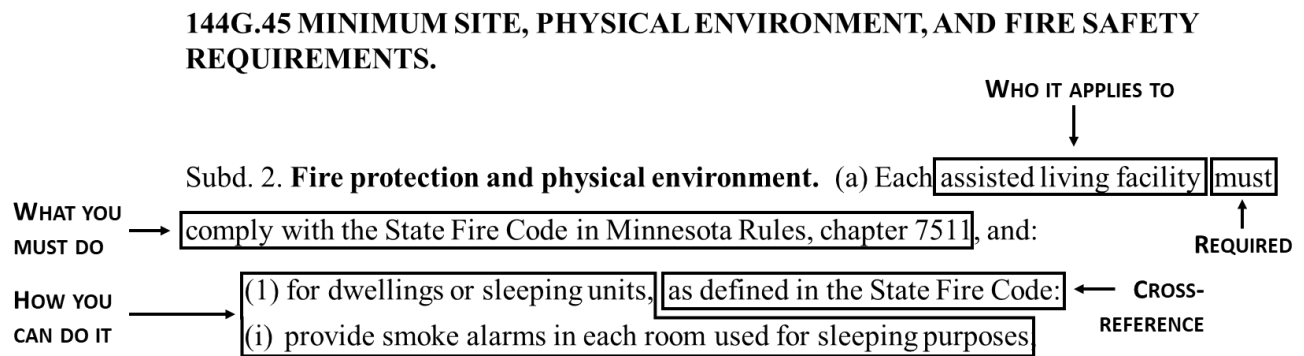
Example 1: Identifying the Parts of a Statute

This figure uses [Minnesota Statute 144G.45 Subd. 2](#) to illustrate where you might find each of these terms. However, keep in mind that not every term applies to all statutes. Some statutes are much simpler.



Example 2: Interpreting and Applying the Statute

To practice applying the suggestions in this guide, we will practice using the same statute as before ([Minnesota Statute 144G.45 Subd. 2](#)). The figure below shows what we should take note of as we read the regulatory language.



We can conclude that this regulation:

- Applies to assisted living facilities (*who this regulation applies to*).
- Is required (*regulation language says “must” not “may”*).
- Helps facilities follow the State Fire Code (*what the regulation asks you to do*).
- Explains where smoke alarms should be installed in dwellings or sleeping units (*how you can follow this part of the State Fire Code*).

In everyday language, this statute defines when and where an assisted living facility must provide smoke alarms to keep residents safe. It also refers to other regulations that contain specific definitions.

You cannot always answer every question from a single statute. For example, 144G.45 Subd. 2 does not state what happens if you fail to meet smoke alarm requirements. However, you may find this answer in other parts of chapter 144G.45 or in the [State Fire Code](#), which is why it is important to check cross-references and definitions as you read regulations.



Tip: Select a statute and apply the *Interpreting and Operationalizing Regulations Worksheet [11_Interpret and Apply Regulations Worksheet]* to guide your interpretation and application.