

Memo

Date: 05/11/2020

To: Licensors and supervisors of adult foster care, community residential settings, and family adult day services

From: DHS Licensing

RE: Additional waivers to certain licensing requirements during COVID-19 pandemic

On May 8, 2020, the Commissioner of Human Services announced additional waivers to certain adult foster care, community residential settings, and family adult day services licensing requirements during the COVID-19 pandemic. These changes are effective May 8, 2020, and are anticipated to be for the duration of the peacetime emergency.

New requirement for programs operating during the peacetime emergency

1. During the peacetime emergency, license holders are required to be familiar with [Minnesota Department of Health \(MDH\)](#) and [Centers for Disease Control and Prevention \(CDC\)](#) guidelines on COVID-19. This is an ongoing requirement, as the guidance will evolve during the pandemic. DHS will communicate current guidance and any updated guidance via email and on the DHS website directly to licensed corporate adult foster care and community residential settings and to county licensors who are expected to share this guidance with family adult foster care providers and family adult day service providers. If a person receiving services or the license holder, a household member, caregiver, or staff person has symptoms of COVID-19, the license holder must follow the MDH and CDC guidelines specific to the situation and program capabilities. In addition, if any of these individuals tests positive for COVID-19, the license holder must notify MDH and the county or private licensing agency and follow any guidance provided by MDH.

Modifications of certain licensing requirements for adult foster care/community residential settings

1. **Orientation requirement: Minnesota Rules, part 9555.5505, subpart 2**
During the peacetime emergency, orientation may be condensed to less than three hours. At a minimum, training on the requirements of the Vulnerable Adults Act must be provided.

Reminder: orientation training does not have to be completed in-person. Training that is available online is acceptable. An alternative format (video chats, phone calls, etc.) may also be used to meet this requirement.

Modifications of certain licensing requirements for family adult day services

1. Staffing requirements: Minnesota Statutes, section 245A.143, subdivision 11

Upon approval by the county licensing agency, the requirement for a second staff person to be present when six to eight participants are present may be modified for situations where a single person who is trained in first aid and CPR can safely serve the six to eight participants in the program.