

Dementia-Specific Service Disclosure

This Act requires facilities which secure, segregate, or provide special programs or units for people with Alzheimer’s disease or related disorders to provide written disclosure of what the dementia-specific care includes.

Submitted as:

Minnesota

Chapter 325F.72

Status: Enacted into law in 2001 as part of an omnibus health and human services bill.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act to Require Organizations that
2 Provide or Promote Special Services to People with Alzheimer’s or Related Diseases to Disclose
3 Certain Information about Those Services to Certain State Agencies and Consumers.”

4
5 Section 2. [*Required Disclosure for Organizations that Offer “Special Care” to People
6 with Alzheimer’s or Related Disorders.*]

7 (A) Housing with services establishments, as defined in [insert citation] that secure,
8 segregate, or provide a special program or special unit for residents with a diagnosis of probable
9 Alzheimer’s disease or a related disorder or that advertise, market, or otherwise promote the
10 establishment as providing specialized care for Alzheimer’s disease or a related disorder are
11 considered a “special care unit.”

12 (B) All special care units shall provide a written disclosure to the following:

13 (1) the [commissioner of health], if requested;

14 (2) the [office of Ombudsman for older state residents]; and

15 (3) each person seeking placement within a residence, or the person’s authorized
16 representative, before an agreement to provide the care is entered into.

17 (C) Written disclosure shall include, but is not limited to, the following:

18 (1) a statement of the overall philosophy and how it reflects the special needs of
19 residents with Alzheimer’s disease or other dementias;

20 (2) the criteria for determining who may reside in the special care unit;

21 (3) the process used for assessment and establishment of the service plan or
22 agreement, including how the plan is responsive to changes in the resident’s condition;

23 (4) staffing credentials, job descriptions, and staff duties and availability, including
24 any training specific to dementia;

25 (5) physical environment as well as design and security features that specifically
26 address the needs of residents with Alzheimer’s disease or other dementias;

27 (6) frequency and type of programs and activities for residents of the special care
28 unit;

29 (7) involvement of families in resident care and availability of family support
30 programs;

31 (8) fee schedules for additional services to the residents of the special care unit;
32 and

33 (9) a statement that residents will be given a written notice [30 days] prior to
34 changes in the fee schedule.

35 (D) Substantial changes to disclosures must be reported to the parties listed in subdivision
36 (B) of this section at the time the change is made.

37 (E) The [attorney general] may seek the remedies set forth in [insert citation] for repeated
38 and intentional violations of this section. However, no private right of action may be maintained
39 as provided under [insert citation].

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41 Section 3. [*Severability.*] [Insert severability clause.]

42

43 Section 4. [*Repealer.*] [Insert repealer clause.]

44

45 Section 5. [*Effective Date.*] [Insert effective date.]