

2026 legislative session summaries: Adult Day Centers (ADC), Adult Foster Care (AFC), Child Foster Residence Settings (CFRS), Community Residential Settings (CRS), Family Adult Day Services (FADS), and Home and Community-Based Services (HCBS)

ADC, AFC, CFRS, CRS, FADS, and HCBS

Effective the day following final enactment

Positive support analyst qualifications. This section updates positive support analyst qualifications. It clarifies that behavior analysts must be licensed and that board-certified assistant behavior analysts must be certified by the Behavior Analyst Certification Board, Inc. [Laws of MN 2026, chapter 95, article 4, section 10](#)

Limit on rights restrictions. This section clarifies that a 245D service recipient should never have a rights restriction that prevents access to a clean, safe setting that meets State Fire Code residential occupancy requirements. [Laws of MN 2026, chapter 121, article 4, section 23](#)

Policies and procedures. A 245D license holder must inform a person's legal representative of the policies and procedures affecting a person's rights and provide copies of those policies and procedures within five working days of service initiation. This section adds language to 245D clarifying that a license holder providing basic services and supports must have an emergency use of manual restraints policy and procedure. [Laws of MN 2026, chapter 121, article 4, section 24](#)

Federal access rule. The commissioner must develop systems and capacity to comply with the requirements of the federal access rule to improve access to care, quality and health outcomes, and program integrity in medical assistance home and community-based services. [Laws of MN 2026, chapter 121, article 9, section 60](#)

Codifying the Office of Inspector General. The Department of Human Services (DHS) must provide statutory language that codifies the DHS Office of Inspector General. [Laws of MN 2026, chapter 121, article 11, section 6](#)

Effective July 1, 2026

Maltreatment investigations related to grooming. Screening guidelines must not limit an agency's ability to assess and investigate a report of alleged grooming that occurred more than three years prior to the date of the report. [Laws of MN 2026, chapter 108, section 4](#)

Change of ownership during a license moratorium. A change of ownership is not subject to a licensing moratorium if the change does not result in an increase in licensed capacity or service scope. [Laws of MN 2026, chapter 121, article 3, section 7](#)

Attestation regarding assistance during application or license renewal. Applicants and license holders that receive public funds must provide an attestation stating whether the applicant or authorized agent received assistance from an unaffiliated business or consultant in preparing: a license application, a renewal application, documentation, or written policies. [Laws of MN 2026, chapter 121, article 3, section 7](#)

License denial for missing attestation. The commissioner shall not issue a license if an applicant, license holder, or controlling individual has not provided an attestation stating whether the applicant or authorized agent receiving assistance from an unaffiliated business or consultant in preparing: a license application, a renewal application, documentation, or written policies. [Laws of MN 2026, chapter 121, article 3, sections 8 and 10](#)

HCBS early and often team. The legislature established an HCBS early and often licensing and compliance team. The team will assist applicants through the application process and visit programs early and often, providing technical assistance and guidance several times throughout the first 18 months of operation. [Laws of MN 2026, chapter 121, article 3, section 9](#)

HCBS provider support and technical assistance team. The legislature established an HCBS provider support and technical assistance team. [Laws of MN 2026, chapter 121, article 3, section 13](#)

Expanded payment withhold authority. This section expands payment withhold authority for individuals or entities convicted of a crime, if a provider is operating after suspension of license, or the provider has a background study disqualification. [Laws of MN 2026, chapter 121, article 4, section 2](#)

Definition of individual who is related. Modifies the definition of “individual who is related” to include those related through marriage. Programs may continue to operate within the existing definition of individual who is related until the individual related through marriage is no longer receiving services. [Laws of MN 2026, chapter 121, article 4, sections 3 and 4](#)

Temporary immediate suspensions. This section establishes preponderance of evidence as the burden of proof for temporary immediate suspension hearings in which the license holder or controlling individual is the subject of a pending administrative, civil, or criminal investigation or is subject to an administrative or civil action related to fraud against a program administered by a state or federal agency. This section gives the commissioner the authority to issue a suspension if the temporary immediate suspension time period has expired and there continues to be a pending investigation or action related to fraud against a program administered by a state or federal agency. [Laws of MN 2026, chapter 121, article 4, sections 7 and 8](#)

HCBS license renewal fees. This section fixes a technical error in the HCBS license renewal fees related to revenue categories. [Laws of MN 2026, chapter 121, article 4, section 9](#)

Notice after issuing a residential license. The commissioner must give written notice to an affected municipality or other political subdivision no later than five working days after issuing a license to a permitted single-family residence. [Laws of MN 2026, chapter 121, article 9, section 2](#)

Limits on locations for licensed residential programs. This section places restrictions on issuing licenses for residential programs based on their proximity to other licensed residential programs. [Laws of MN 2026, chapter 121, article 9, section 4](#)

Monitoring location requirements for licensed residential programs. DHS and the Minnesota Department of Health (MDH) must execute an interagency agreement for DHS to monitor location requirements for license applications for small residential programs. [Laws of MN 2026, chapter 121, article 9, section 6](#)

Integrated Community Supports (ICS) supports access services. This section establishes requirements for incidental, unplanned services provided in an integrated community supports setting. [Laws of MN 2026, chapter 121, article 9, section 37](#)

ICS reform study. The commissioner must evaluate the need for statutory, regulatory, and programmatic reforms for integrated community supports. [Laws of MN 2026, chapter 121, article 9, section 55](#)

Assessment of administrative roles. DHS and the Department of Children, Youth, and Families (DCYF) must consult with Tribal Nations and counties to assess and recommend improvements related to each agency's role in administering human services programs. [Laws of MN 2026, chapter 121, article 11, section 3](#)

Evaluation of DHS structure and processes. DHS must contract with an external consultant to make recommendations to improve the department's performance as the state's Medicaid agency. [Laws of MN 2026, chapter 121, article 11, section 5](#)

Effective August 1, 2026

Recodification of 245A.03. This language recodifies existing language from section 245A.03 and reorganizes it into three sections. [Laws of MN 2026, chapter 95, article 4, sections 1-4, and 41](#)

Annual training. License holders providing 245D services may delay annual training by up to 90 calendar days following the date staff would otherwise be required to take the training. [Laws of MN 2026, chapter 95, article 4, section 8](#)

Developmentally appropriate activities for minor children. These sections establish rights and corresponding restrictions for minor children receiving 245D services related to developmentally appropriate activities and reasonable and prudent parenting. [Laws of MN 2026, chapter 95, article 5, sections 4 and 5](#)

Vulnerable Adult Act updates for county social services. These sections update the Vulnerable Adult Act, particularly as it relates to county social service agency responsibilities. [Laws of MN 2026, chapter 95, article 7, sections 7-27](#)

Financial accounts for housing. License holders and controlling individuals who own, lease, or have a direct or indirect financial relationship with the property owner of a multifamily housing building must deposit housing funding into dedicated accounts and provide monthly statements showing account activity. [Laws of MN 2026, chapter 95, article 8, section 1](#)

Service suspension. This section states that an interruption to a person's public benefits that has lasted less than 60 days does not constitute nonpayment and therefore is not eligible for a service suspension for 245D services. It adds a requirement for ICS providers to notify the commissioner in writing when they intend to temporarily suspend services. [Laws of MN 2026, chapter 95, article 8, section 2](#)

Service termination. This section states that an interruption to a person's public benefits that has lasted less than 60 days does not constitute nonpayment and therefore is not eligible for a service termination for 245D services. It adds a requirement for ICS providers to notify the commissioner in writing when they intend to terminate services. [Laws of MN 2026, chapter 95, article 8, section 3](#)

Prohibition on terminating a program, waiver, or benefit. The commissioner may not terminate a medical assistance program, waiver, or benefit or request federal assistance to do so without prior legislative authorization. [Laws of MN 2026, chapter 95, article 9, sections 4 and 5](#)

Effective October 1, 2026

Change of ownership exception. These sections remove the change of ownership exception for licenses in which at least one controlling individual has been on the license for the previous 12 months and will continue to be on the license. [Laws of MN 2026, chapter 121, article 4, sections 5, 6, and 37](#)

Effective January 1, 2027

Local inspections for residential programs. The commissioner may delegate authority to a county or local unit of government to inspect an existing residential program serving six or fewer persons for compliance with zoning ordinances and physical plant licensing requirements. The commissioner must ensure that laws, rules, and codes are uniformly enforced throughout the state by reviewing each county and local unit of government conducting inspections at least every four years. [Laws of MN 2026, chapter 121, article 9, section 3](#)

Moratorium for ICS. These sections establish a moratorium for integrated community supports. [Laws of MN 2026, chapter 121, article 9, sections 5 and 39](#)

Effective July 1, 2028

Interpretive guidelines for waiver services. The commissioner must develop and publish guidelines within 120 days of the effective date of any statutory changes, waiver plan amendments, state or federal administrative rules, or state or federal court decisions that affect policies or reimbursement for 245D services. Interpretive guidelines do not have the force and effect of law. [Laws of MN 2026, chapter 121, article 9, section 11](#)

Effective January 1, 2029

Documentation requirements. This section establishes documentation requirements for direct staffing hours for residential support services. [Laws of MN 2026, chapter 121, article 9, section 49](#)

County-delegated licenses

Effective July 1, 2026

Fingerprint-based background studies for adult foster care and family adult day services. This section adds language necessary to require adult foster care and family adult day services to have new fingerprint-based background studies in NETStudy 2.0. [Laws of MN 2026, chapter 121, article 4, section 14](#)

Licensing moratorium exception for customized living. This section allows a licensing moratorium exception for new foster care or community residential setting licenses for people receiving customized living or 24-hour customized living services and residing in a customized living setting. [Laws of MN 2026, chapter 121, article 9, section 52](#)

Effective November 3, 2026

Background studies for children's foster residence settings. This section adds children's foster residence settings as a DHS-licensed provider type required to have a background study under 245C. [Laws of MN 2026, chapter 121, article 4, section 13](#)