

2026 legislative session summaries: Intensive Residential Treatment Services (IRTS), Residential Crisis Stabilization (RCS), Mental Health Clinics, and Residential Facilities for Adults with Mental Illness

Effective July 1, 2026

Change of ownership during a license moratorium. States that 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. States that 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, section 7](#)

License denial for missing attestation. States that the commissioner may deny a license if an applicant or controlling individual does not comply with the new requirement to provide an attestation stating whether the applicant or authorized agent received assistance from an unaffiliate business or consultant. [Laws of MN 2026, chapter 121, article 3, sections 8 and 10](#)

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. Establishes a 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](#)

Nasal opiate antagonist standing orders. For licensed programs subject to 245A.242, a standing order protocol from a physician is not required for nasal opiate antagonist (for example, Narcan) to be kept on site. A standing order protocol is still required for administration via intramuscular injection. [Laws of MN 2026, chapter 121, article 4, section 11](#)

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](#)

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](#)

Mental health behavioral aide scope of practice. Updates the mental health behavioral aide scope of practice to remove individual behavioral plan from the documents used to practice psychosocial skills with the child client. [Laws of MN 2026, chapter 95, article 5, section 14](#)

Effective October 1, 2026

Change in ownership exception. Removes 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, section 5 and 6](#)

Change in ownership exception fee repeal. Repeals the fee associated with the change of ownership exception. [Laws of MN 2026, chapter 121, article 44, section 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](#)

Diagnostic assessment; tobacco use. Updates diagnostic assessment components in 245I assessing the client's substance use and substance use disorder treatment to include tobacco and nicotine use and treatment in the assessment. [Laws of MN 2026, chapter 95, article 5, section 15](#)

Effective January 1, 2028

Uniform Service Standards. This article establishes that four mental health services that are currently certified will transition to programs licensed by the Department of Human Services (DHS). The mental health services include children's therapeutic services and supports (CTSS), adult rehabilitative mental health services (ARMHS), crisis response services, and certified community behavioral health clinics (CCBHC) services. Currently certified

providers will apply for a license and must meet license requirements, including license fees, background studies, and maltreatment reporting. [Laws of MN 2026, chapter 121, article 7, sections 1-55](#)