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State of Minnesota
Department of Human Services

Human Services Building
444 Lafayette Road N
St. Paul, Minnesota 55155

November 29, 1995

Ms. Maryanne Hruby
Executive Director, LCRAR
55 State Office Building
St. Paul, Minnesota 55155

Dear Ms. Hruby:

Pursuant to Minnesota Statutes, section 14.131, enclosed is a statement of need and reasonableness relating to Homemaking Services, Minnesota Rules, part 9565.1200, subpart 2.

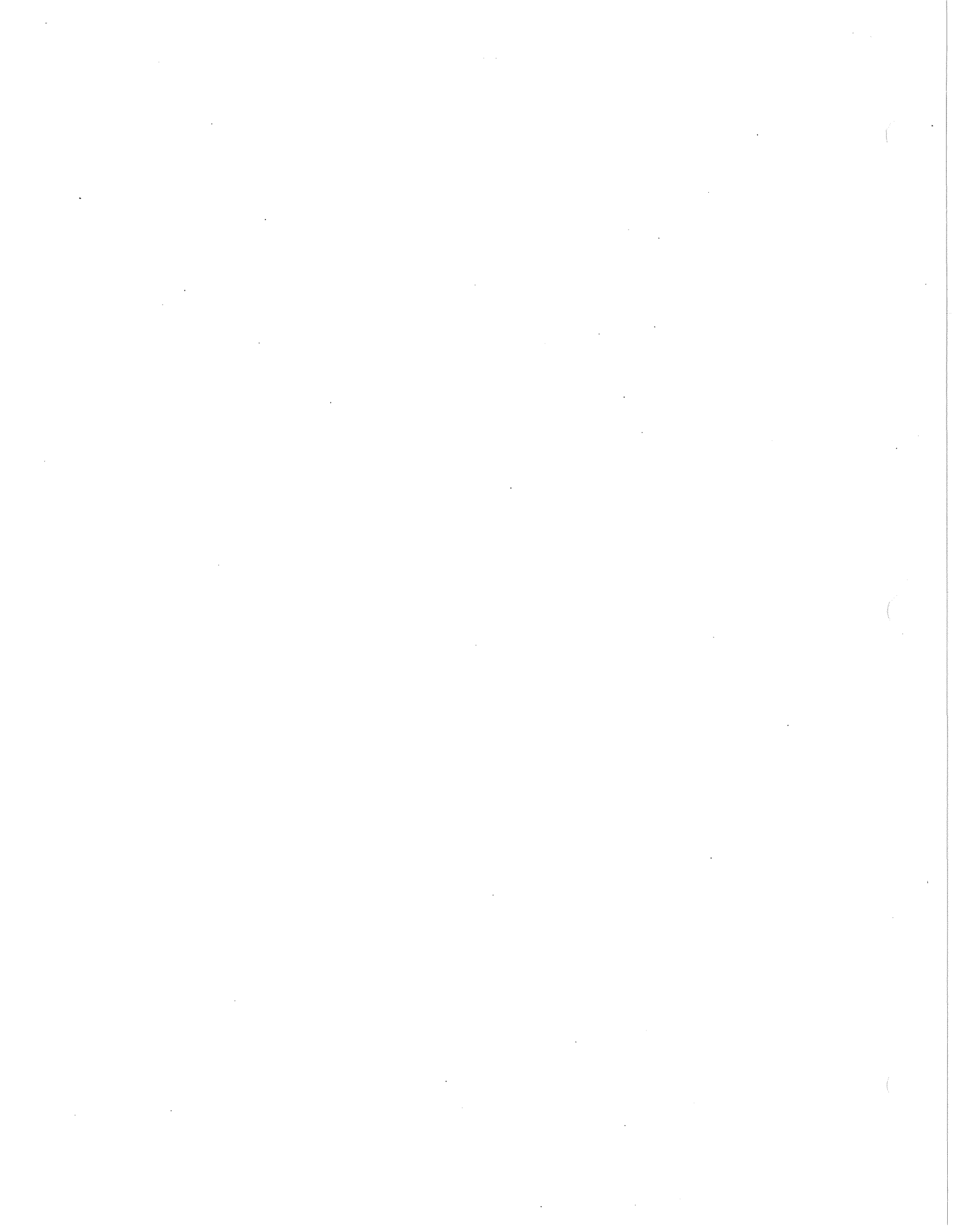
If you have any questions about the statement of need and reasonableness, please do not hesitate to contact me at 282-9850.

Sincerely,

A handwritten signature in cursive script that reads "Asha Sharma".

Asha Sharma
Rules Division

Encl.



STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

**IN THE MATTER OF THE PROPOSED AMENDMENT
OF DEPARTMENT OF HUMAN SERVICES RULE
9565.1200, SUBPART 2, GOVERNING
ANNUAL TRAINING FOR PROVIDERS OF
HOMEMAKING SERVICES**

**STATEMENT OF NEED
AND REASONABLENESS**

The Department of Human Services proposes to amend Minnesota Rules, part 9565.1200, subpart 2, to reduce the annual training requirement for providers of homemaking services ("homemakers") from 24 hours to six hours. The initial training requirement of 24 hours is to remain the same.

The authority for this rule comes from Minnesota Statutes, sections 256.01, subdivision 2(1)(a), (b), (4), and 256E.05, subdivisions 1, 1a. The present rule has been in effect since 1976.

This rule governs the provision of homemaking services to clients in their homes. Homemaking services includes the provision or teaching of child care, personal care, and home management to individuals and families. Minnesota Rules, part 9565.1100, subpart 1. More specifically, homemaking tasks include house cleaning; laundering and ironing; meal planning and preparation; dishwashing; household management; providing companionship; monitoring home safety practices; shopping and running errands; and monitoring the well-being of the client. Minnesota Rules, parts 9505.3100, subpart 2, and 9565.1200, subpart 4.

The provision of homemaking services to clients with disabilities or other incapacities enables the clients to remain in their homes rather than to seek more expensive care outside their homes. See attached Statement of Need and Reasonableness (December 12, 1975). The rule establishes standards for ensuring that homemakers are qualified to perform homemaking tasks.

The rule currently requires homemakers to undergo 24 hours of training when first hired and 24 hours of training annually thereafter. The department is retaining the initial 24 hour training requirement but reducing the subsequent annual training requirement to six hours.

County workers and the department have concluded that 24 hours of annual training for homemakers is unnecessary. Counties are having difficulty finding enough beneficial training material to fill the 24-hour requirement. (see attached memorandum from Ron Abato). County workers and officials believe that 24 hours of annual training is too much, and, consequently, they requested amendment of the rule.

The department notes that considerably less annual training is required of other workers performing similar tasks. Only eight hours of annual training is required for home health aides (Minnesota Rules, part 4668.0100, subpart 6A), six hours for home care aides (Minnesota Rules, part 4668.0110, subpart 4A), and no annual training is required for home management task providers (Minnesota Rules, part 4668.0120, subpart 2).

The department also notes that the current 24-hour annual training requirement is significantly greater than that required in other fields. For example, 15 hours of continuing education per year is required for attorneys (Rules of Supreme Court for Continuing Legal Education, Rule 3); ten hours for physical therapists (Minnesota Rules, part 5601.2100); eight hours for dental hygienists (Minnesota Rules, part 3100.4100, subpart 2); six hours for licensed practical nurses (Minnesota Rules, part 6310.2800, subpart 3); and other fields also require fewer hours of annual training.¹ The significantly fewer hours of annual training required for other jobs suggests that 24 hours of annual training for homemakers is excessive.

It is reasonable to expect that after an initial 24 hours of training, six hours of subsequent annual training will provide a sufficient refresher course for homemakers. If six hours of annual training is sufficient for home care aides, it is sufficient for homemakers. Given that many homemakers do this work part time, it is reasonable to require only that amount of training necessary to assure the continued health and safety of clients. The reduction in hours of training will reduce the cost to counties and the state and also satisfy the statutory policy of simplifying program requirements. Minnesota Statutes, section 256E.05, subdivision 1a.

The reduction in annual training requirements does not affect the application of merit system standards to homemakers because those standards govern only the recruitment and pre-hiring qualifications of homemakers. (see attached memorandum from Betty Carlson).

The department believes this rule to be noncontroversial because it reduces, not increases, training requirements, and because this amendment involves a reduction in time and cost to counties, the state, and to homemakers. Moreover, because the excessive number of training hours provides little benefit to homemakers,

¹ Fifteen hours of annual training is required for optometrists (Minnesota Rules, part 6500.0900); podiatrists (Minnesota Rules, part 6900.0300, subpart 1); dentists (Minnesota Rules, part 3100.4100, subpart 2); and marriage and family therapists (Minnesota Rules, part 5300.0320, subpart 2).


the department anticipates that the reduction in training hours will not change the quality of services to recipients.

Because the department believes this rule to be noncontroversial, no advisory committee was convened. The Department did, however, consult with the Minnesota Association of County Social Services Administrators (MACSSA), which is comprised of the social service agency heads of all 87 Minnesota counties. The MACSSA Rules Committee supports the amendment reducing the annual training requirement. (See attached letter from Don Mleziva). The Department published a notice in the January 17, 1995, issue of State Register soliciting opinions on this amendment. 19 S.R. 1524. As of June 1995, the Department received no comments from the public.

In preparing the amendment, the Department considered the requirements of Minnesota Statutes, section 14.115 but believes that any impact on small business falls within the exemptions in Minnesota Statutes, section 14.115, subdivision 7(2), (3).

Because the proposed rule does not have a direct and substantial adverse impact on agricultural land in Minnesota, Minnesota Statutes, section 14.11, subd. 2, is not applicable.

Date: 11/16/95, 1995



MARIA R. GOMEZ
Commissioner of Human Services

