



What if Assisted Living wants to end my contract?

For general information on Assisted Living, see our fact sheet [Assisted Living and Nursing Home Laws in Minnesota](#).

What does the Assisted Living place need to do when they end my contract?

1. Pre-termination Notice Meeting

Before ending your contract, the Assisted Living place must set up a meeting with you. At the meeting they need to:

- tell you why they are ending your contract.
- tell you about other ways to solve the problem, so they don't have to end the contract

Other people can go to the meeting too. Like a long-term care ombudsman, family members, and health professionals. The Assisted Living place must give you a written summary of everything talked about at the meeting. They have to get this to you within 24 hours after the meeting.



2. Notice of Termination

The termination notice must include these things:

- The date your contract is ending
- A **detailed** explanation of why they are ending your contract.
- A detailed explanation of things you need to do if you want a new or different contract

- A statement telling you that you have the right to appeal the termination. It must also say:
 - that you can ask for a hearing and
 - tell you the deadline to ask for a hearing and
 - give you the contact information for MDH to ask for the hearing
- A statement that the Assisted Living provider follows MN law (see [section 144G.55](#)) to coordinate transferring your care to another provider or caregiver.
- The name and contact information for a person at the Assisted Living place that you can talk to about the termination notice
- Contact information for the Office of Ombudsman for Long-Term Care to ask for an advocate
- Is the Assisted Living place stopping your services, but not your housing? Then the notice must say that you can stay there to live but you can choose another provider for your necessary services

3. Resident-relocation Evaluation

The Assisted Living place must give you a written *resident-relocation evaluation* that has these things in it:

- Your current service plan
- A list of safe places and service providers that fit your needs. These need to be reasonably close to the Assisted Living place that can accept you
- Your needs and choices
- Your right to tour the safe location and service provider before you move there



4. Resident-relocation Plan

The Assisted Living place must hold a planning meeting. This is to make a written relocation plan and talk about the details of your move. This meeting must include you, your representative(s), and any other people you want to invite.

The plan must include the resident-relocation evaluation **and** include the following:

- The date and time you are moving
- Contact information of your new place
- A transportation plan for you to get to your new place
- How the Assisted Living place plans to care for and store your belongings
- Recommendations to help you adjust to the new place
- recommendations for stress management if you have dementia or if you might experience stress when moving to a new place
- Recommendations to make sure your medications and medical equipment are transferred
- Arrangements have been made for your follow-up care and meals
- Plan for transferring and reconnecting phone, internet service, and electronic monitoring equipment



Can I appeal when my Assisted Living contract ends or does not renew?

Yes. You can send in an appeal request *by mail, email, or fax* to the Health Regulation's Reconsideration Unit at:

Reconsideration Unit - Health Regulation Division
PO Box 64970
St. Paul, MN 55164-0970
Fax: 651-215-5963
Email: Health.HRD.Appeals@state.mn.us

What do I need to include in my appeal request?

The appeal request **should include** your personal contact information:

- name
- phone number
- email
- home address

Note: If you are filling this out for the Assisted Living resident, include the resident's contact information as well.

The appeal request **must include** the reason for your appeal. Reasons you can appeal are:

- If you disagree that the Assisted Living place can end your contract.
- If ending your Assisted Living contract would cause you a lot of harm.
- If you fixed the reason why the Assisted Living place wanted to end your contract. OR if you have another way to resolve the issue. This might be something like a reasonable accommodation, modification, intervention, or alternative to ending your contract.
- If the Assisted Living place ended your contract in a way that violates state or federal law.

It is VERY helpful to MDH if you also include the notice you got from your Assisted Living place that says your contract is ending or won't be renewed.

When do I have to submit my appeal request?

The due date depends on the reason why the Assisted Living place ended your contract in the first place.

You have **30 days** from the date you got the termination notice to submit an appeal if your contract is ending because:

- you did not pay your rent or bills, or
- you violated the terms of your contract,

You have **15 days** from the date you got the termination notice to submit an appeal if your contract is ending for any other reason,



What do I need to do while my appeal request is pending?

When you submit an appeal request, the Assisted Living place **cannot** discharge you or terminate any housing or services.

If you need more services for your health and safety, you are responsible for contracting for those extra services.

What do I do if I need help with my appeal?

Call Mid-Minnesota Legal Aid at **612-334-5970** for Hennepin County or **1-877-696-6529** toll free.

Mid-Minnesota Legal Aid provides **FREE legal services** and help if you need any help with your Assisted Living concerns or appeal. Due to office resources Mid-Minnesota Legal Aid only can provide advice in assisted living termination appeals.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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