Chair Hoffman and Members
Senate Human Services Committee
Minnesota Senate

March 18, 2026

Dear Chair Hoffman and Members,

The Consumer Advocates Coalition writes to express our overall support and concerns for the restraints provisions in S**F 4418**, which aims to ensure residents in assisted living are protected from unnecessary and traumatic restraints usage.

The Elder Care and Vulnerable Adult Protection Act of 2019 achieved multiple milestones – creation of a license for assisted living facilities (Minnesota being one of the last states in the nation to do so), an establishment of a Bill of Rights for Assisted Living, and expansion of the Office of Ombudsman for Long-Term Care. One mutual goal that was not achieved was the establishment of statutory language to guide providers in determining appropriate and inappropriate use of restraints as well as a process for reporting if a restraint was used. After almost five years, we are gratified to see language that provides this support to providers and residents in SF 4418.

The Consumer Advocates Coalition greatly appreciates the collaboration with the Long-Term Care Imperative, Residential Providers Association of Minnesota, the Department of Health, and the Department of Human Services to identify the language presented in this bill. Thank you, Senator Wiklund, for your leadership on this complex issue.

Since assisted living licensure was implemented in 2021, the law has been silent on restraint usage in assisted living facilities. This lack of direction has created concerns for all parties, including the use of a mechanical restraint such as bed rails and the use of a chemical restraint such as medication used with people who have dementia.

Last session, Senator Hoffman authored SF 2934. This language is preferred by the Consumer Advocates Coalition because it specifically prevents the use of any restraints for staff convenience and provides an avenue for therapeutic use of a restraint to “protect the rights, health, and welfare of the resident” (5.27 of SF 2934 as introduced). This balance is important to many residents in assisted living facilities.

Having access to therapeutic assistance such as bed rails is supportive to many residents. In some cases, bed rails assist residents with independently getting into and out of bed. While appropriate assessments and informed choice and consent are essential in ensuring safe use of bed rails, the elimination of this language in SF 4418 may prevent residents from having access to an assistive

device that helps them enjoy greater independence and reduces the need for staff to provide more intensive services.

Including a prohibition on chemical restraint usage for staff convenience also improves outcomes for residents in memory care units. Residents in one memory care unit were offered hand massages in the early evening. The cream used contained sedatives that prompted all residents in the unit to be asleep by 6 pm, regardless of person-centered care plans. This use of a chemical restraint specifically for staff convenience should be prohibited.

The current absence of any language surrounding restraints is concerning as providers have widely varying interpretations of how to respond to escalating situations to achieve and maintain safety. Advocates have heard from law enforcement that some assisted living providers are uncertain of how to respond in these situations. We are deeply concerned that we don't know what we don't know surrounding the emergency use of manual restraint as there are currently no training, documentation, or reporting requirements. We appreciate that HF 4212 includes reporting requirements and includes that all staff who may apply an emergency manual restraint receive training on de-escalation techniques and their value, principles of person-centered planning and service delivery, cultural competence, situations where staff must contact 911 services in response to an imminent risk of harm, and prohibited practices, including why such practices are not safe and are not effective at reducing or eliminating symptoms or interfering behavior.

These concerns need to be addressed. SF 4418 takes a significant step forward to ensuring inappropriate restraint usage does not occur in assisted living while maintaining residents' ability to receive the person-centered therapeutic-goal oriented care they deserve.

For these reasons, we respectfully urge the committee to support SF 4418 and consider adoption of the language heard last year in SF 2934.

Thank you for your leadership on behalf of older adults and vulnerable Minnesotans.

Sincerely,

Consumer Advocates Coalition