



As we approach the end of the year, we felt it necessary to reach out and update you about a few changes in legislation that may affect your services from LDR Home Care.

Please read the following information.

On October 29, 2025, the Governor announced a new process for reviewing claims on 14 Medicaid Services prior to the payments being issued as a means of checking for provider fraud. Staff were made aware of this in early November; since then, LDR has implemented some extra charting requirements for your staff. You may notice them doing a lot more writing or taking notes than before. This is what that change looks like: staff are now required to essentially dictate their shift so that DHS can verify that the services are provided as described, and are necessary before payment is issued to providers. Staff will use part of their shift to complete this documentation, as it is required to be filled out each shift.

We have recently discovered that DHS is sending recipients surveys to complete, verifying that they received services from LDR. We checked with the county regarding the legitimacy of these; upon further review, it was discovered that they are indeed valid. DHS is trying to ensure the client is getting their I.H.S. services through LDR. The case manager encouraged that they are kept to basic information only.

- If you receive this letter and want to verify the date, feel free to reach out to your Coordinator or to the LDR office, and we can verify using HHAX (our electronic visit verification system). We do not suspect that it's a trick, and they are asking to verify dates that were not billed, but just in case, feel free to reach out if you are unsure.

Secondly, the Department of Labor and Industry (DLI), along with State Legislators, developed a new requirement for Minnesota's meal and rest break laws that will take effect January 1, 2026. There are 2 parts to this new requirement; however, only one part will affect staffing and how services will be scheduled.

State law requires employees working 6 or more consecutive hours to be allowed an unpaid 30-minute break to eat a meal. For the break to be unpaid, employees must be completely relieved of work duties. Employers can require that employees stay on the premises during their break. This break must be taken within the shift, not at the end.

If an employee wants to work through their break, employees may choose not to take these breaks. However, if an employee voluntarily waives their breaks, it is best practice to confirm this in writing with the employee.

What is LDR doing to comply with these rules?

Effective January 1, 2026, LDR will no longer schedule shifts over 5.5 hours to comply with Minnesota DLI laws related to unpaid meal breaks. This is not a decision we take lightly, but out of necessity to comply with MN Statutes 177.253 and 177.254, and Minnesota Rules 5200.0120. We feel that this will ensure that our clients are attended to and cared for.

During these breaks, LDR is not allowing staff to leave the premises. Staff may go out to their car to take their break, or go outside, but they may not leave the client's property (except for their car being parked on the street).

In accordance with the law, clients may not refuse staff the right to their lunch break for a 6-hour shift. While we realize staff work for our clients, they are responsible to their employer, LDR. It is LDR's responsibility to ensure labor laws are followed. This break must be taken during the shift, and not at the end. LDR will be monitoring this.

- We realize that not all clients can be left alone while an employee is relieved of their responsibilities for 30 minutes. Schedules will be built to reflect the individual recipient's needs. For clients who require longer shifts, LDR Supervisors will work with the recipient to ensure that a break is built into the schedule.
- Staff who develop their own schedules with clients will no longer be able to schedule a shift over 5.5 hours without prior acknowledgment that they are choosing to give up their lunch break.
 - Prior acknowledgement must be completed through the LDR website for each shift where a lunch break is waived. **This waiver must be completed at least 24 hours before the start of each shift.**
 - Failure to follow this policy will result in write-ups and could lead to staff dismissal.
- Realistically, there are times when a break may not be able to be guaranteed due to travel, appointments, services being provided in the community, etc.
 - Staff may also waive their unpaid lunch break by signing the form on the LDR website stating that they are waiving their right to be relieved of their work duties, while eating their meal, and continuing to be paid.
 - **This form must be completed before the end of the originally scheduled shift.**