
EMPIRE RESOURCES, LLC

Empire Resources

Home Health Care

PCA & HCBS Employee *Policy Manual*

Skeleton Draft — Awaiting HR Authoring

Generated April 28, 2026

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This document is a structural skeleton. Every section below is a placeholder for Empire Resources' HR or legal counsel to author. The section list reflects the topics Minnesota DHS expects of any PCA/HCBS provider's employee manual.

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SECTION 01**Welcome to Empire Resources**

Guidance for Empire: A short welcome message from Empire's leadership. Tone: warm, professional. Mention the company's mission and the role caregivers play in serving Minnesota families.

[Empire Resources, LLC to author this section.]

SECTION 02**About Empire Resources, LLC**

Guidance for Empire: Brief overview of Empire as an agency: services offered (PCA, 245D waived services, homemaker, ILS, employment supports), service area, and Empire's UMPI.

[Empire Resources, LLC to author this section.]

SECTION 03**Employment-At-Will Acknowledgment**

Guidance for Empire: Standard at-will language stating that employment is voluntary, no fixed term, and either party may terminate the relationship at any time with or without cause. Clarify that nothing in the manual creates an employment contract.

[Empire Resources, LLC to author this section.]

SECTION 04**Protected Concerted Activity Disclaimer**

Section 7 of the National Labor Relations Act protects the right of employees to act together to improve their wages and working conditions, with or without a union. Nothing in this manual is intended to limit or interfere with those

rights, including (but not limited to) the right to discuss pay and working conditions with co-workers, to support or oppose union organizing, and to raise grievances individually or collectively without fear of retaliation.

Source: 29 U.S.C. § 157 (NLRA Section 7).

Guidance for Empire: Disclaimer that nothing in this manual interferes with employees' rights to engage in protected, concerted activity under the National Labor Relations Act, including discussing wages, working conditions, or organizing.

[Empire Resources, LLC to author this section.]

SECTION 05

Orientation to Home Care Requirements

Guidance for Empire: Empire's expectations during orientation: required forms, mandatory training topics, background study completion, ID verification, and the timeline before an employee may begin service delivery.

[Empire Resources, LLC to author this section.]

SECTION 06

Home Care Bill of Rights

Note — Set by Minn. Stat. § 144A.44, subd. 1. Each home care client must receive these rights in writing in plain language. Empire must use the current MDH-published verbatim version when delivering to clients; the summary below paraphrases the statute for employee training only.

Each home care client of Empire Resources has the right to:

- receive written information, in plain language, about their rights before services begin
- receive care and services according to a suitable, up-to-date plan, and to participate in developing and revising the plan
- be informed of the type and disciplines of staff providing services and the proposed frequency of visits
- be told in advance of any recommended changes to the service plan
- refuse services or treatment
- know the limits of services available from a home care provider
- know the charges for services and what charges the client may be responsible for paying

- know about other services available in the community and where to find information about them
- choose freely among available providers and to change providers after services have begun
- have personal, financial, and medical information kept private, and to be advised of the provider's policies for use and disclosure of such information
- access the client's own records and any written information from those records
- be served by people who are properly trained and competent to perform their duties
- be treated with courtesy and respect, and to have the client's property treated with respect
- be free from physical and verbal abuse, neglect, financial exploitation, and all forms of maltreatment
- reasonable, advance notice of changes in services or charges
- know the provider's reason for terminating services
- at least ten calendar days' advance notice of services being terminated by the provider (with the longer notice period applicable to assisted living, where required)
- a coordinated transfer when there will be a change in the provider of services
- complain to staff and others about services without retaliation, and to have the provider take prompt action to investigate and resolve complaints
- know how to contact an individual associated with the provider responsible for handling problems
- know the name and address of the state or county agency to contact for additional information or assistance
- assert these rights personally, or have them asserted by a family member, court-appointed guardian, or other representative, without retaliation
- place an electronic monitoring device in the client's space in accordance with Minn. Stat. § 144.6502, where applicable

Source: Minn. Stat. § 144A.44, subd. 1. The MDH Home Care Bill of Rights is the controlling text and is the version delivered to clients.

Guidance for Empire: Confirm how Empire delivers the verbatim Bill of Rights to clients (intake packet, posted at offices, etc.) and how the client's signed acknowledgment is retained.

[Empire Resources, LLC to author this section.]

SECTION 07

Service Delivery Policy

Guidance for Empire: Empire's standards for delivering services consistent with each client's care plan: timeliness, scope of services, documentation expectations, and what to do when the client's needs exceed authorized services.

[Empire Resources, LLC to author this section.]

SECTION 08

Service Recipient Rights

Guidance for Empire: Recipients' rights to dignity, privacy, choice, refusal of services, freedom from abuse and discrimination, and confidentiality. Include any rights specific to 245D waived services where applicable.

[Empire Resources, LLC to author this section.]

SECTION 09

Person-Centered Planning and Service Delivery

Guidance for Empire: How Empire delivers services that reflect each recipient's preferences, goals, and cultural needs. How direct support staff participate in plan reviews and reflect plan goals in daily service delivery.

[Empire Resources, LLC to author this section.]

SECTION 10

Hiring, Eligibility, and Background Studies

All Empire employees who provide direct services or have direct contact with vulnerable adults must complete a Minnesota DHS background study before service delivery begins. Background studies are administered by the DHS Background Studies Division through the NETStudy 2.0 system and may include fingerprint-based criminal history checks.

An applicant disqualified by DHS may not provide direct contact services until the disqualification is set aside or a variance is granted. Empire conducts background studies at the frequency required by DHS and any time the agency receives notice of a new conviction or other disqualifying event.

Authority: Minn. Stat. ch. 245C.

Guidance for Empire: Empire's application and onboarding flow, the timing of conditional offers relative to background study clearance, ID verification, and how disqualification notices are handled.

[Empire Resources, LLC to author this section.]

SECTION 11

Required Training

Guidance for Empire: Training Empire requires before service delivery: orientation, recipient rights, Vulnerable Adults Act, abuse prevention, infection control, person-centered care, and any role-specific training (PCA, 245D DSP). Include refresher schedule.

[Empire Resources, LLC to author this section.]

SECTION 12

Supervision

Guidance for Empire: Frequency and method of supervisory visits, who supervises whom, documentation of supervision, and the supervisor's role in correcting performance issues. Reference DHS supervision rules for PCA and 245D services.

[Empire Resources, LLC to author this section.]

SECTION 13**Job Descriptions**

Guidance for Empire: One subsection per role: PCA, Homemaker, Individualized Home Supports / ILS, Direct Support Professional (245D), and Employment Services staff. For each: purpose, essential duties, qualifications, supervision, and physical requirements.

[Empire Resources, LLC to author this section.]

SECTION 14**Standards of Conduct**

Guidance for Empire: Expected employee conduct: professionalism, dress, punctuality, attendance, communication with clients and families, boundaries, social media, and conflicts of interest. Include the prohibition on accepting gifts or borrowing from clients.

[Empire Resources, LLC to author this section.]

SECTION 15**Drug-Free Workplace**

Empire prohibits the use, possession, or being under the influence of alcohol or unauthorized controlled substances while on duty, on Empire premises, or while operating a vehicle on Empire business.

Where Empire tests employees or applicants for drugs or alcohol, the testing program complies with the Minnesota Drug and Alcohol Testing in the Workplace Act, including the employee's right to receive written notice of the testing policy, the right to explain a positive result and to request a confirmatory retest, and the limits on adverse action based solely on a first positive test.

Authority: Minn. Stat. §§ 181.950–181.957.

Guidance for Empire: Empire's specific drug and alcohol testing program: when tests are run (pre-employment, reasonable suspicion, post-incident, random — to the extent permitted), the lab Empire uses, how positives are handled, and the consequences of refusal or a confirmed positive.

[Empire Resources, LLC to author this section.]

SECTION 16

HIPAA, Privacy, and Confidentiality

Guidance for Empire: Handling of protected health information: minimum-necessary access, never discussing recipients outside work, secure handling of paper and electronic records, and the breach reporting process. Reference HIPAA and the Minnesota Health Records Act.

[Empire Resources, LLC to author this section.]

SECTION 17

Infection Control and Communicable Disease

Guidance for Empire: Universal precautions, hand hygiene, PPE expectations, exposure control plan, and what an employee does after a possible bloodborne pathogen exposure. Procedures for working with recipients with communicable conditions.

[Empire Resources, LLC to author this section.]

SECTION 18

Reporting Maltreatment of Vulnerable Adults

Note — All Empire employees who provide direct contact services to vulnerable adults are mandated reporters under the Minnesota Vulnerable Adults Act, Minn. Stat. § 626.557, with definitions in § 626.5572.

WHERE TO REPORT

Minnesota Adult Abuse Reporting Center (MAARC) — toll-free 1-844-880-1574, available 24 hours a day, 7 days a week. MAARC is the statewide Common Entry Point established under Minn. Stat. § 626.557, subd. 9.

An employee who has reason to believe that a vulnerable adult is being or has been maltreated, or who knows that a vulnerable adult has sustained an injury that is not reasonably explained, must immediately report that information

to MAARC. Reports may be made before, after, or independently of any internal report to Empire — the external report comes first.

IMMUNITY FOR GOOD-FAITH REPORTS

A person who makes a good-faith report under § 626.557 is immune from any civil or criminal liability that might otherwise result from making the report (subd. 5).

RETALIATION PROHIBITED

No facility or person may retaliate against any person who reports in good faith. A violator is liable for actual damages, punitive damages up to \$10,000, and attorney fees (subd. 17).

Authority: Minn. Stat. §§ 626.557, 626.5572.

Guidance for Empire: Empire's internal escalation: who the employee notifies inside Empire after making the external report, how documentation is preserved, and how Empire cooperates with investigators.

[Empire Resources, LLC to author this section.]

SECTION 19

Documentation, Time Records, and Schedules

Guidance for Empire: Daily service documentation requirements, accuracy and falsification penalties, time-record submission process, and record retention. Identify the system Empire uses (EVV, paper, hybrid).

[Empire Resources, LLC to author this section.]

SECTION 20

Electronic Visit Verification (EVV)

Federal law requires EVV for Medicaid-funded personal care services. Each visit recorded by Empire must capture six data points required under the 21st Century Cures Act:

- the type of service performed

- the individual receiving the service
- the date of the service
- the location of service delivery
- the individual providing the service
- the time the service begins and ends

Authority: 21st Century Cures Act, codified at 42 U.S.C. § 1396b(l).

Guidance for Empire: Empire's EVV vendor and login procedure, how to record visit start/end, how to handle exceptions (no signal, missed punch, equipment failure), and the consequences of falsifying EVV records.

[Empire Resources, LLC to author this section.]

SECTION 21

Discipline and Termination

Guidance for Empire: Empire's progressive discipline approach (verbal, written, suspension, termination) and the at-will exception that allows immediate termination for serious misconduct. Examples of conduct warranting immediate termination (theft, abuse, falsification).

[Empire Resources, LLC to author this section.]

SECTION 22

Complaint and Grievance Procedure

Recipients, families, and employees may raise concerns to Empire without fear of retaliation. If the concern is not resolved internally, the complainant may escalate to an independent state authority.

EXTERNAL ESCALATION — MDH

Complaints about a home care provider may be made to the Minnesota Department of Health, Office of Health Facility Complaints. The OHFC contact information is published at health.state.mn.us.

EXTERNAL ESCALATION — OMBUDSMAN

Recipients of mental health and developmental disabilities services may contact the Office of Ombudsman for Mental Health and Developmental Disabilities, established under Minn. Stat. §§ 245.91–245.97.

Guidance for Empire: Empire's internal complaint flow: who an employee or client contacts first, expected response time, investigation steps, and how findings are communicated. Confirm Empire's internal grievance contact.

[Empire Resources, LLC to author this section.]

SECTION 23

Acknowledgment of Receipt

Guidance for Empire: Standalone signature page: employee acknowledges receiving and reviewing the manual, agrees to comply, and consents to electronic signature. Date, printed name, and initials.

[Empire Resources, LLC to author this section.]