

May 31, 2023

CERTIFIED MAIL

Samater Mahamoud, Authorized Agent
Twin Cities Therapy Services, Inc
3255 Hennepin Ave.
Minneapolis, MN 55408-3470

License Number 1094287
Report Number 202207381

ORDER OF LICENSE REVOCATION

Dear Samater Mahamoud,

The Department of Human Services (DHS) is revoking your license to provide substance use treatment services at 3255 Hennepin Ave., Minneapolis, MN 55408-3470. This revocation is based on the failure of the to comply with licensing laws and rules as stated in the reasons for license revocation. Details of our findings are provided below. Our next steps and your options are also detailed.

The revocation goes into effect on June 13, 2023, at 5:00 p.m. to allow time for delivery of this order and ten days for you to inform the Commissioner whether you intend to appeal the license revocation explained below.

Commissioner's evaluation of program:

In determining whether a licensing action is warranted, CHD evaluated the facts, conditions, and circumstances concerning your program's operation. DHS determined that your program failed to fully comply with the laws and rules that apply to licensed substance use treatment programs. During the licensing review, DHS licensors found 29 licensing violations. DHS has also considered the nature and severity of the violations that led to the revocation of your license. This includes consideration of the well-being of persons served by your program, and information about the qualifications of staff persons that are working in your program. DHS has determined that revocation of your license is appropriate based on the violations identified below and the program evaluation.

- **Nature and Severity:** Your program failed to follow requirements which affected the health, safety, and rights of persons served. The license holder failed to meet requirements for the following:
 - Ensure and document that the treatment director knew and understood the licensing implications of Minnesota Statutes, chapters 245A, 245G, 260E, 626.557 and 626.5572 (violation numbered 1).
 - Comply with reporting of maltreatment of vulnerable adults (violations numbered 2).
 - Complete vulnerable adult determinations as required (violations numbered 3).
 - Complete individual abuse prevention plans as per required (violation numbered 4).
 - Complete internal reviews of alleged or suspected maltreatment as required (violation numbered 5).

- Protect client confidentiality (violation numbered 6).
- Complete individual service plans (violation numbered 7).
- Complete comprehensive assessments (violation numbered 8).
- Complete individual treatment plans and treatment plan reviews (violations numbered 9 and 10).
- Complete discharge summaries (violation numbered 11).
- Notify the commissioner of controlling individuals (violation numbered 12).
- Following the license holder's health care policy (violation numbered 13).
- Provide and document supervision to an individual with a temporary permit from the Board of Behavioral Health and Therapy (violation numbered 14).
- Maintain a program abuse prevention plan that met requirements (violation numbered 15).
- Ensure all required contents of a personnel file were complete (violation numbered 16).
- Ensure all required staff orientation training was completed (violation numbered 17).

Legal Authority: Minnesota Statutes, sections 245A.04, subdivision 6, and 245A.07, subdivision 3(a)(1).

Due to the serious nature of these violations and the conditions in the program, which impact the health and safety of persons served in your care, your license to provide Substance Use Treatment services is revoked.

LICENSING VIOLATIONS DETERMINED ON March 09, 10, and 13, 2023

DHS determined that your program failed to follow licensing rules and statutes, as described below.

1. Violation: The license holder failed to ensure and document that the former and current Treatment Directors (SP2 and SP3) knew and understood the licensing implications of Minnesota Statutes, chapters 245A, 245G, 260E, 626.557 and 626.5572 as determined by the following:
 - a. The number and nature of citations in this order; and
 - b. Failure to ensure all aspects of the delivery of treatment services met licensing requirements.

Statute Violated: Minnesota Statutes, sections 245G.01, subdivision 27, and 245G.11, subdivision 3.

2. Violation: During a licensing investigation at the program, DHS Licensors reviewed documentation of an incident of alleged sexual assault that occurred at the license holder's sober home. It was noted through documentation that both (SP3) and the assigned counselor (SP2) had knowledge of allegations of an inappropriate sexual relationship involving a client (C4), but failed to comply with maltreatment of vulnerable adults policies and procedures. The license holder failed to make a determination of C4's vulnerable adult status. However, a treatment plan review dated September 13, 2022, indicated an individual abuse prevention plan was completed, which is only required when an individual is deemed vulnerable. The license holder failed to report the incident as suspected maltreatment per MN Statute 626.557.

Statute Violated: Minnesota Statutes, sections 245A.65, subdivision 1a, and 626.557, subdivision 4a.

3. Violation: Six of thirteen client files reviewed for requirements governing vulnerable adult determinations did not meet requirements. The license holder failed to complete vulnerable adult determinations as required (C4, C5, C10, C12, C15, and C31).

Statute Violated: Minnesota Statutes, sections 245A.65, subdivision 1a, paragraph (a) and 245G.04, subdivision 2, paragraph (a).

4. Violation: Two of two client files reviewed for requirements governing individual abuse prevention plans (IAPP) did not meet requirements in the following ways:
 - a. There was no documentation of an IAPP contained in the client's chart; however, a treatment plan review dated September 13, 2022, stated that (C4) "has an IAPP"; and
 - b. The IAPP contained in the chart identified specific measures the program was taking with a staff member at the housing but did not identify specific actions the program would take to minimize the risk of abuse for the client (C31).

Statute Violated: Minnesota Statutes, sections 245A.65, subdivision 2, paragraph (b), 245G.04, subdivision 2, paragraph (b) and 626.557, subdivision 14, paragraph (b).

5. Violation: The license holder did not meet requirements governing internal reviews of alleged or suspected maltreatment reports. Documentation did not include the following:
 - a. For incident August 29, 2022 (C31) and September 2022 (C4):
 - i. The internal review did not include an evaluation of whether related policies and procedures were followed;
 - ii. Whether policies and procedures were adequate; and
 - iii. Whether the reported event is similar to past events with the vulnerable adults.
 - b. The license holder did not provide written notice to the mandated reporter who filed an internal report for the incident on August 19, 2022 involving C4.

Statute Violated: Minnesota Statutes, section 626.557, subdivision 4a.

6. Violation: The license holder failed to protect against unauthorized disclosure according to section 254A.09 and Code of Federal Regulations, title 42, chapter 1, part 2, subpart B, sections 2.1 to 2.67 and title 45, parts 160 to 164 for the following:
 - a. The program's *Orientation Checklist* identifies that releases of information are not required for communication between 245G staff and affiliated sober housing staff; and
 - b. Three of ten client files reviewed for requirements governing confidentiality demonstrated the program disclosed client information without releases of information for the following:
 - i. A progress note dated November 17, 2022 documented that program staff spoke with housing staff (C3);
 - ii. Treatment plan reviews dated August 11, 2022, and August 19, 2022, documented that program staff spoke with client's mental health therapist that is non-affiliated with agency (C4); and

- iii. Progress notes dated August 22, 2022, and September 18, 2022 document that program staff spoke with client's Adult Rehabilitative Mental Health Services worker (C31).

Statute Violated: Minnesota Statutes, section 245G.09, subdivision 1, paragraph (a).

7. Violation: Nine of twelve client files reviewed for requirements governing initial service plans (ISP's) did not meet requirements in the following ways:
 - a. Client files did not include the date of service initiation (C2, C3, and C31); therefore, unable to determine if the ISP's were completed within 24 hours of service initiation;
 - b. ISP's were not completed (C4, C5, C10 and C12);
 - c. ISP's were not person-centered and client specific (C3, C6, C8, and C31); and
 - d. The ISP's did not identify treatment needs to be addressed during the time between the day of service initiation and the development of the individual treatment plan (C6, C8, C9 and C31).

Statute Violated: Minnesota Statutes, sections 245G.04 subdivision 1, and 245G.09, subdivision 3.

Repeat Violation: In a Correction Order that DHS issued on March 30, 2021 you were previously found in violation of these same statutes.

8. Violation: Fourteen of fourteen client files reviewed for requirements governing comprehensive assessments did not meet requirements in the following ways:
 - a. There was no documentation that a comprehensive assessment was completed (C1, C4, C12 and C31);
 - b. The files contained a comprehensive assessment that was not completed within the required timeframe and there was no documentation of a person-centered reason for the delay (C2, C7 and C11);
 - c. A previously completed comprehensive assessment completed prior to admission was utilized, however, there was no documentation of a review and update as required (C2, C8 and C10);
 - d. The comprehensive assessment did not comply with the following documentation:
 - i. Contained inconsistent information regarding the client's economic status. One area of the assessment indicated that the client was working and another area indicated the client was unemployed (C5);
 - ii. Did not include a description of the circumstances on the day of service initiation (C3, C5, C7 and C9);
 - iii. Did not include frequency of use (C5);
 - iv. Did not include duration of use (C5, C6, and C9);
 - v. Contained inconsistent information regarding periods of abstinence. One area of the assessment indicated that the client had not used in the past month and another area indicated that the client had consumed alcohol in the past month (C5);
 - vi. Did not include information on the absence or presence of previous withdrawal symptoms for each substance used in the past 30 days (C5);

- vii. Did not identify specific problem behaviors exhibited by the client when under the influence of substances (C2 and C5);
- viii. Did not describe family history of substance use and misuse (C3 and C5);
- ix. Did not include current medical treatment needed or being received (C5);
- x. Contained inconsistent information regarding whether medical concerns needed to be referred to an appropriate health care professional. One area of the assessment indicated that medical concerns did not need to be referred to an appropriate health care professional and another area of the assessment indicated that they did need to be referred (C3);
- xi. Did not include a mental health history, including symptoms or the effect on the client's ability to function (C3);
- xii. Did not include a list of psychotropic medications needed to maintain stability (C5 and C6);
- xiii. Did not include a GAIN-SS (C3);
- xiv. Did not contain a description of how use affected the client's ability to function appropriately in work and educational settings (C5 and C6);
- xv. Did not contain a description of risk-taking behavior (C6);
- xvi. Did not contain a description of leisure time activities that have been associated with substance use (C2, C5 and C6); and
- xvii. Did not identify whether the client recognized needs related to substance use and was willing to follow treatment recommendations (C6).

Statute Violated: Minnesota Statutes, sections 245G.05, subdivision 1, paragraph (a) and 245G.09, subdivision 3.

Repeat Violation: In Correction Orders that DHS issued on March 30, 2021 and December 10, 2019, you were previously found in violation of these same statutes.

9. Violation: Sixteen of eighteen client files reviewed for requirements governing individual treatment plans (ITP's) did not meet requirements in the following ways:
- a. The files did not contain an ITP (C1, C3, C5, C20 and C21);
 - b. The ITP's were completed late (C8, C10, C14, C16, C17, C19 and 31)
 - c. The ITP's were not signed by the client (C7 and C17);
 - d. There was no documentation of client involvement in the development of the ITP (C7);
 - e. When the client identified a desire to have family involved, the ITP did not identify how the family would be involved (C31);
 - f. The ITP did not address each issue identified in the assessment summary (C31);
 - g. The ITP did not include the amount and frequency of treatment services (C2, C4, C6 through C8 and C31);
 - h. The ITP did not include resources to refer the client to when needs were to be addressed concurrently by another provider (C31);

- i. The ITP did not identify goals the client must reach to complete treatment and terminate services (C8 and C31); and
- j. The ITP was not updated based on new information gathered about the client's condition (C4 and C31).

Statute Violated: Minnesota Statutes, sections 245G.06, subdivisions 1 and 2 and 245G.09, subdivision 3.

10. Violation: Six of eight client files reviewed for the requirements governing treatment plan reviews did not meet requirements in the following ways:
- a. There were no treatment plans reviews documented in the client file (C2);
 - b. Reviews were not entered for the following weeks:
 - i. June 19, June 26, July 03, and July 24 for 2022 (C4);
 - ii. December 04, 2022 (C31);
 - iii. January 29 and February 05, 2023 (C9); and
 - iv. February 12, February 19, and February 26, 2023 (C7 and C9);
 - c. Reviews were entered late for the following weeks:
 - i. August 14, August 21, September 11, September 18, September 25, October 02, October 09, October 16, October 23, October 30, November 06, November 13, November 20 and November 27, 2022 (C31);
 - ii. August 28 and September 4, 2022 (C4 and C31);
 - iii. January 08, January 15, and February 12, 2023 (C6 and C7); and
 - iv. January 22, 2023 (C7); and
 - d. Reviews did not include a review and evaluation of the individual abuse prevention plan (C4 and C31).

Statute Violated: Minnesota Statutes, sections 245G.06, subdivision 3 and 245G.20.

Repeat Violation: In Correction Orders that DHS issued on March 30, 2020 and December 10, 2019 you were previously found in violation of this same statute.

11. Violation: Eleven of eleven client files reviewed for requirements governing discharge summaries did not meet requirements in the following ways:
- a. There were no discharge summaries documented in file (C2, C4, C22, C24, C25, C27 through C29);
 - b. The discharge summaries were not completed within 5 days of service termination (C5, C26 and C31);
 - c. There was no documentation of the client's progress toward achieving each of the goals identified in the individual treatment plan (C31);
 - d. There was no documentation of the client's living arrangements at service termination (C5);
 - e. There was no documentation of a description of client behavior that constitutes reason for a staff requested service termination. Discharge summary noted reason for discharge was "discharged from sober home" (C5); and

- f. The discharge summary did not identify continuing care recommendations (C31).

Statute Violated: Minnesota Statutes, section 245G.06, subdivision 4.

- 12. Violation: The license holder failed to inform the commissioner of changes to the controlling individuals. During the review, it was determined that SP6 is a controlling individual of the program as evidenced by:
 - a. Interviews with staff (SP1, SP2 and SP5) on March 09, 2023, asked for SP8, the owner and the identified authorized agent. The staff indicated that they did not know who SP8 was. Licensor asked who was in charge and SP2 indicated that it was SP6;
 - b. On March 09, 2023, SP6 introduced themselves to DHS licensors as the Chief Executive Officer of the program;
 - c. The license holder's *New Client Welcome Packet* identified SP6 by name as the Chief Executive Officer of the program; and
 - d. The NetStudy 2.0 roster identified SP6 as a Director/Business Manager.

Statute Violated: Minnesota Statutes, section 245A.04, subdivision 7a, paragraph (b).

- 13. Violation: The license holder failed to monitor implementation of their *Health Care Services* policy and practice. This policy states that the program does not provide health care services, including assistance with medication. On August 11, 2022, a client (C31) was administered over the counter medication by a staff per documentation.

Statute Violated: Minnesota Statutes, sections 245A.04, subdivision 14, paragraph (b), and 245G.08, subdivision 5.

- 14. Violation: The supervising licensed alcohol and drug counselor (SP3) failed to document the amount and type of supervision provided from August 29 through October 13, 2022 for an individual with a temporary permit from the Board of Behavioral Health and Therapy (SP1).

Statute Violated: Minnesota Statutes, section 245G.11, subdivision 11.

- 15. Violation: The requirements governing the *Program Abuse Prevention Plan* did meet requirements in the following ways:
 - a. The plan did not include an evaluation of the following:
 - i. The condition and design of the building as it relates to the safety of the clients;
 - ii. The existence of areas in the building which are difficult to supervise;
 - iii. The location of the program in a particular neighborhood or community;
 - iv. The type of grounds and terrain surrounding the building; and
 - v. The type of internal programming;
 - b. The annual review of the *Program Abuse Prevention Plan* was not documented for the calendar years 2021 or 2022; and

- c. The license holder posted two conflicting versions of the *Program Abuse Prevention Plan*. One version was outdated and contained the former address of the program.

Statute Violated: Minnesota Statutes, section 245A.65, subdivision 2, paragraph (a).

16. Violation: Four of four personnel files reviewed for requirements governing the contents of personnel files did not meet requirements in the following ways (SP1 through SP4):
 - a. There was not a completed application for employment; and
 - b. There was no documentation of inquiries made to former employers regarding substantiated sexual contact with a client as required by Minnesota Statutes, chapter 604.

Statute Violated: Minnesota Statutes, section 245G.13, subdivision 3.

Repeat Violation: In Correction Orders that DHS issued on March 30, 2021, and on December 10, 2019, you were previously found in violation of this same statute.

17. Violation: Four of four personnel files reviewed for requirements governing staff orientation training did not meet requirements in the following ways:
 - a. No orientation training was documented for the following:
 - i. Specific job responsibilities and program's policies and procedures (SP1 through SP4);
 - ii. Program's policies and procedures (SP1 through SP4);
 - iii. Client confidentiality (SP2 through SP4);
 - iv. Client needs (SP2 through SP4);
 - v. HIV minimum standards (SP2 through SP4);
 - vi. Maltreatment of vulnerable adults internal and external reporting policies (SP2 through SP4);
 - vii. The program abuse prevention plan (SP1 through SP4); and
 - viii. The drug and alcohol policy (SP1 through SP4); and
 - b. No documentation of orientation training within 24 working hours of hire date (SP1):
 - i. Client confidentiality was due May 17, 2022 and was completed on September 22, 2022;
 - ii. Client needs was due on May 17, 2022 and was completed on December 19, 2022;
 - iii. HIV minimum standards was due on May 17, 2022 and was completed on September 22, 2022; and
 - iv. Maltreatment of vulnerable adults internal and external reporting policies was due on May 17, 2022 and was completed on September 22, 2022.

Statute Violated: Minnesota Statutes, sections 245A.04, subdivision 1, paragraph (c), 245A.65, subdivision 3, and 245G.13, subdivision 1.

18. Violation: Two of nine client files reviewed for requirements governing consent to disclose suspected maltreatment did not meet requirements. There was no documentation that the program sought consent to the disclosure of suspected maltreatment upon admission (C3 and C5).

Statute Violated: Minnesota Statutes, sections 626.557, subdivision 3a.

Repeat Violation: In Correction Orders that DHS issued on March 30, 2021 and December 10, 2019, you were previously found in violation of this same statute.

19. Violation: Thirteen of thirteen client files reviewed for requirements governing client orientation did not meet requirements in the following ways:
- a. No documentation of orientation for the following:
 - i. Client rights (C1 through C3, C11 and C12);
 - ii. Grievance procedure (C1 through C3, C5 through C9, C11, C12 and C31);
 - iii. HIV minimum standards (C1 through C3, C11 and C12);
 - iv. Tuberculosis and tuberculosis screening (C1 through C3, C11 and C12);
 - v. Personal electronic device policy (C1 through C3, C11 and C12);
 - vi. Internal and external policies for reporting maltreatment of vulnerable adults (C1 through C5, C11, C12 and C31); and
 - vii. The program abuse prevention plan (C1 through C5, C11 and C12);
 - b. Client orientation was not completed on day of service initiation (C10) as follows:
 - i. Client rights; and
 - ii. Grievance procedure;
 - c. Clients were oriented to the incorrect client rights (C4 through C10 and C31).

Statute Violated: Minnesota Statutes, sections 245A.19, 245A.65, subdivisions 1, paragraph (c) and 2, paragraph (a), 245G.09, subdivision 3, and 245G.15.

Repeat Violation: In Correction Orders that DHS issued on March 30, 2021 and December 10, 2019, you were previously found in violation of these same statutes.

20. Violation: Two of ten client files reviewed for requirements governing comprehensive assessment summaries did not meet requirements in the following ways:
- a. The assessment summary was completed late (C7); and
 - b. The assessment summary did not include a determination of whether the client had a substance use disorder (C31).

Statute Violated: Minnesota Statutes, sections 245G.05, subdivision 2, and 245G.09, subdivision 3.

21. Violation: Ten of ten client files did not meet requirements of client record documentation in the following way:
- a. The program failed to enter a note following a significant event that impacted the client's relationship with another client. The discharge summary indicated that there was a report of sexual harassment of another client (C5);
 - b. Group notes consisted of a full day of programming and did not document the type and amount of each treatment service provided to the client (C1 through C9 and C31); and
 - c. Entries into client's records did not include the job title or position of the staff person making the entry (C1 through C9 and C31).

Statute Violated: Minnesota Statutes, section 245G.06, subdivision 2b, paragraphs (a) and (c).

22. Violation: Four of four personnel files reviewed for additional staff training requirements did not have documentation of a minimum of 12 hours of training in co-occurring disorders within 6 months of employment (SP1 through SP4).

Statute Violation: Minnesota Statutes, section 245G.13, subdivision 2, paragraph (e).

23. Violation: One personnel file reviewed for annual training requirements did not contain documentation of annual training for the calendar year 2022 (SP3) for the following:
- a. Mandatory reporting as specified in sections 245A.65, 626.557, and 626.5572, and chapter 260E, including specific training covering the license holder's policies for obtaining a release of client information;
 - b. Program abuse prevention plan; and
 - c. HIV minimum standards.

Statute Violated: Minnesota Statutes, sections 245A.19, 245A.65, subdivision 3, 245G.13, subdivision 2, paragraphs (c) and (d).

24. Violation: One personnel file reviewed for an annual performance evaluation did not contain documentation the staff person received a review for calendar year 2022 (SP3).

Statute Violated: Minnesota Statutes, section 245G.13, subdivision 1.

25. Violation: The license holder's *Substance Use Services* policy did not meet requirements in the following ways:
- a. The policy did not describe current treatment services provided and contained descriptions of additional treatment services not offered by the program, including:
 - i. After-Care services
 - ii. Health Screening/Service Coordination offered by a Registered Nurse; and
 - iii. Peer Recovery Support Services;
 - b. Contained incorrect hours of operation; and
 - c. Program treatment week was not defined.

Statute Violated: Minnesota Statutes, sections 245A.04, subdivision 14, paragraph (a), and 245G.12.

26. Violation: The requirements governing the *Vulnerable Adult Policy* did not meet requirements in the following ways:
- a. The secondary person or position for internal reporting and internal review was incorrect as the individual noted on the document is not associated with the licensed program; and
 - b. The license holder has two conflicting versions of the *Vulnerable Adult Policy* posted. One version had a former employee documented as the primary person or position for internal reporting and internal review.

Statute Violated: Minnesota Statutes, section 245A.65, subdivision 1, paragraph (d).

27. Violation: The license holder failed to have a controlling individual annually review and sign their *Transfer of Records Closure* policy for calendar years 2021 and 2022.

Statute Violated: Minnesota Statutes, section 245A.04, subdivision 15a, paragraph (a).

28. Violation: The license holder failed to make the most current policy and procedure manual immediately accessible to staff members. When asked, (SP5) was unable to locate the most current version of the manual.

Statute Violated: Minnesota Statutes, section 245G.12.

29. Violation: The license holder's *Confidentiality/Data Privacy/Grievance* policy did not have the correct contact information for the Minnesota Board of Behavioral Health and Therapy.

Statute Violated: Minnesota Statutes, section 245G.15, subdivision 2.

YOUR RIGHT TO APPEAL

You have the right to appeal the revocation. Your request must be in writing and clearly state that you are requesting a contested case hearing for this matter. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when you received this order.

If you are mailing your request, it must be sent by certified mail and postmarked within 10 calendar days from when you received this order. Please send it to:

Commissioner, Department of Human Services
Office of Inspector General
Legal Counsel's Office
Attention: Licensing Legal Unit
PO Box 64953
St. Paul, MN 55164-0953

If your request is being personally delivered, it must be received by DHS within 10 calendar days from when you received this order. Please bring it to:

Commissioner, Department of Human Services
Office of Inspector General
Legal Counsel's Office
Attention: Licensing Legal Unit
444 Lafayette Road North

St. Paul, MN 55155

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. Following this hearing, the Commissioner of DHS will issue a final order. If you do not appeal or if the order is affirmed by the Commissioner following a hearing, DHS is prohibited from issuing you and the controlling individuals a license for five years. In addition, any additional licenses held by you or the controlling individuals shall also be revoked.

Legal representation at the contested case hearing:

You do not need a lawyer to appeal. However, a lawyer can help you with your appeal. The state or county will not get you a lawyer and will not pay for a lawyer. If you cannot afford a lawyer, you may be able to get free legal advice or help with your appeal. To find out if free help is available, contact: Volunteer Lawyers Network at 612-752-6677; Central Minnesota Legal Services at 612-332-8151; Southern Minnesota Legal Services at 651-222-4731; or go to www.lawhelpmn.org to find a local legal services program that may be able to help you.

You can also find information on contested cases from the Office of Administrative Hearings website at <https://mn.gov/oah/self-help>. Click on Administrative Law Overview, then click on Administrative Law Contested Case Hearing Guide for a list of frequently asked questions.

Operating the program pending the outcome of the appeal:

If you file an appeal within the timeframes described above, you may continue to operate pending the outcome of your appeal. If you continue to operate, you must do so in full compliance with all licensing laws and rules. Failure to follow a law or rule that may impact the health or safety of persons served by your program could result in the immediate suspension of your license.

Legal authority for this licensing action

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 3, which describes under which conditions DHS may revoke a license.
- The timeline to appeal a revocation order is provided in Minnesota Statutes, section 245A.07, subdivision 3(b).
- "Controlling individual" is defined under Minnesota Statutes, section 245A.02, subdivision 5a.
- License holders have a right to appeal licensing actions and request a contested case hearing, under Minnesota Statutes, chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612.
- If a license holder files a timely appeal of a revocation order, the license holder may continue to operate the program pending a final order of the appeal under Minnesota Statutes, section 245A.07, subdivision 1(b).
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (3), the commissioner shall not issue or reissue a license if the applicant, license holder, or controlling individual has had a license issued under this chapter revoked within the past five years.

Samater Mahamoud, Authorized Agent

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- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (5), when a license issued under this chapter is revoked under clause (1) or (3), the license holder and controlling individual may not hold any license under chapter 245A for five years following the revocation, and other licenses held by the applicant, license holder, or controlling individual shall also be revoked.

Questions

If you have any further questions regarding this matter, you may contact Kristi Strang, Supervisor, at 651-431-6611.

Sincerely,



Paula Halverson, Unit Manager
Licensing Division
Office of Inspector General