

August 9, 2023

**CERTIFIED MAIL**

Omar Robe, Authorized Agent  
Bright Community Services LLC  
1001 Westgate Drive Suite D114  
Saint Paul MN 55114-1065

License Number 1105893 (Home and Community-Based Services)  
License Number 1115774 (245D-Home and Community-Based Service-Integrated Community Supports)  
Report Number 202301286

## **ORDER TO PAY A FINE**

Dear Omar Robe:

The Department of Human Services (DHS) is ordering you to pay a fine of \$200 for the failure to report alleged or suspected maltreatment at Bright Community Services located at 1001 Westgate Drive, Suite D114, Saint Paul, Minnesota. Details of our findings are provided below. Our next steps and your options are also detailed.

### **REASON FOR FINE**

#### **Failure to Report Maltreatment**

It was reported that a staff person (SP) and a vulnerable adult (VA) had sexual contact on two occasions.

DHS investigated the report as alleged maltreatment by sexual abuse. Based on the maltreatment investigation, DHS determined that mandated reporters, including supervisory and administrative staff persons had knowledge of the alleged maltreatment, but did not make a report as required.

Fine: \$200

Statute Violated: Minnesota Statutes, section 626.557, subdivision 3 and Minnesota Statutes 245A.65, subdivision 1.

## **Billing and Payment of the Fine**

DHS will send you an invoice for the \$200 fine. Payment must be made as directed on the invoice.

If you request a contested case hearing, as described below, do not pay the fine at this time. Following the contested case hearing, the Commissioner of DHS will issue a final order on this matter.

Please note, you may not avoid payment of this fine by closing, selling, or otherwise transferring the license to a third party. If this occurs, you are personally responsible for payment.

If you do not pay the fine on or before the date specified on the invoice and you did not request a contested case hearing, as described below, the Commissioner may issue a second fine, may not issue or reissue a license, or may suspend the license until the license holder pays the fine.

## **YOUR RIGHT TO APPEAL**

You have the right to appeal the fine. 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 receive this order. Please send it to:

Commissioner, Department of Human Services  
Office of Inspector General  
Legal Counsel's Office  
Attn: 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 receive this order. Please bring it to:

Commissioner, Department of Human Services  
Office of Inspector General  
Legal Counsel's Office  
Attn: 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.

## **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.justice4mn.org](http://www.justice4mn.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.

## **Legal authority for this licensing action**

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 1, paragraph (a), which describes under which conditions DHS may impose a fine against a license.
- DHS may impose a \$200 fine for each health, safety, or supervision licensing violation under Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (4), item (iv).
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (5) states that license holders may not avoid payment of a fine by closing, selling, or transferring a license.
- 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.
- Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (4), states that DHS shall not issue or reissue a license if the applicant, license holder, or controlling individual has an outstanding debt related to a license fee, licensing fine, or settlement agreement for which payment is delinquent.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (2), states that that the license holder shall pay the fine assessed on or before the payment date specified, and if the license holder does not do so the commissioner may issue a second fine or suspend the license until the license holder complies.
- License holders must have and enforce written policies and procedures related to suspected maltreatment, under 245A.65, subdivision 1.

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## Questions

If you have any further questions regarding this matter, you may contact Melanie Daniel, Unit Supervisor, at 651-431-6559.

Sincerely,

A handwritten signature in black ink that reads "Maggie Hanson". The signature is written in a cursive style with a long, sweeping tail.

Maggie Hanson, Intake & Investigations Unit Manager  
Office of Inspector General  
Licensing Division  
Enclosure