

August 9, 2024

Phinsaykeo Souriyathay, Authorized Agent
Souriyathay Adult Daycare
4618 85th Avenue North
Brooklyn Park, Minnesota 55443-1957

License Number: 1108140 (Rule 223)

CORRECTION ORDER

Dear Phinsaykeo Souriyathay:

On July 1, 2024 a licensing review of Souriyathay Adult Daycare located at 4618 85th Avenue North, Brooklyn Park, Minnesota was conducted to determine compliance with Minnesota Statutes and Rules governing adult day care services under Minnesota Rules, parts 9555.9600 through 9555.9730 (Rule 223). As a result of this licensing review, a Correction Order is being issued.

A. Reason for Correction Order

Pursuant to Minnesota Statutes, section 245A.06, if the Commissioner of the Department of Human Services (DHS) finds that the license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the Commissioner may issue a Correction Order to the license holder.

The following violation(s) of state or federal laws and rules were determined as a result of the licensing review. Corrective action for each violation is required by Minnesota Statutes, section 245A.06 and is hereby ordered by the Commissioner of Human Services.

Citation: Minnesota Statutes, section 245A.65, subdivision 2, paragraph (b).

Violation: For two of two participants whose records were reviewed (P1 and P2), the license holder did not meet the requirements for an individual abuse prevention plan (IAPP).

The license holder failed to review P1 and P2's IAPPs with their interdisciplinary team, at least annually in 2023, using the individual assessment and any reports of abuse relating to the person.

Corrective Action Ordered: Within 30 days of receiving this order, you must complete a review of P1 and P2's IAPPs with their interdisciplinary team and document the review. On an ongoing basis, you must maintain compliance as required in this subdivision.

B. Recommendations

The following recommendation is not a requirement of Minnesota Rules or laws governing your service or facility. These recommendations are provided to call your attention to areas where your facility is in minimum compliance with the requirements of rules or laws, but it would be advisable to strengthen your efforts in these areas.

Failure to follow these recommendations will not result in a fine or action against your license at this time. However, should failure to follow recommendations result in a violation of rules or laws at a future date, you will be cited for noncompliance and may be subject to fines or action against your license.

Area of Minimal Compliance: Minnesota Statutes, sections 245A.04, subd. 5.

The license holder must provide access to the physical plant and grounds, documents, and records (including records maintained in electronic format), person served by the program, and staff, and must allow the Commissioner to photocopy, photograph, and make audio and video recordings during the inspection.

On July 1, 2024, DHS licensors arrived to the center at 9:08 am and requested access to the center. However, SP3 did not allow licensors to enter the center by holding the door shut while speaking with licensors and locking the center door after re-entering the center. DHS licensors were allowed access by the authorized agent at 9:34 am.

Recommendation: It is recommended that:

- upon request, you provide the Commissioner access to the physical plant and grounds without prior notice and as often as the Commissioner considers necessary while conducting a licensing inspection; and
- all staff be trained on the Commissioner's right of access according to this subdivision.

C. Right to Request Reconsideration

If you believe any of the citations are in error, you have the right to request that the Commissioner of Human Services reconsider the parts of the Correction Order that you believe to be in error. The request for reconsideration must be in writing and received by the Commissioner within 20 calendar days after receipt of this report. Your request for reconsideration must be sent to:

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

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PO Box 64953
St. Paul, MN 55164-0953

Please note that a request for reconsideration does not stay any provisions or requirements of the Correction Order. The Commissioner's disposition of a request for reconsideration is final and not subject to appeal under Minnesota Statutes, chapter 14.

If you have any questions regarding this Correction Order, please contact me as soon as possible.

Alexandra Devick, Senior Human Services Licenser

Licensing Division

Office of Inspector General

651-431-4626