



September 4, 2024

Rose Kukwa, Authorized Agent
Opportunity Community Services
1399 Geneva Avenue North
Suite 201
Oakdale, MN 55128-5761

Investigation Report Number: 202403962
License Number: 1076320 (245D – HCBS)

Dear Ms. Kukwa:

The Minnesota Department of Human Services (DHS), Division of Licensing, received your request for reconsideration regarding the citation in the Correction Order (Attachment A) issued to you on June 21, 2024. After an independent review of the record, the Commissioner has determined that there is sufficient evidence to support this citation.

Reconsideration Determination

Citation 1. This citation was issued because you did not enforce policies and procedures when initiating service termination. You did not document actions taken to minimize or eliminate the need for service termination, which included at a minimum, consulting with P1's support team to identify and resolve issues leading to service termination and requesting intervention services from P1's case manager. Further, you did not notify P1 and their case manager in writing of your intended service termination at least sixty (60) days prior to termination. You issued the resident a Non-Renewal of Lease notice on January 26, 2024. The Non-Renewal of Lease stated that the resident's services were to be terminated on February 29, 2024.

Applicable Law. The license holder must enforce written policies and procedures when initiating service termination, as required. Prior to giving notice of service termination, the license holder must document actions taken to minimize or eliminate the need for service termination, which includes at a minimum, consultation with the persons support team or expanded support team to resolve issues leading to service termination and requesting intervention services from the case manager. Minnesota Statutes, section 245D.10, subdivision 3a.

Your Response. In your reconsideration request, you state that you consulted with the Disability Services Division (DSD) regarding how to proceed when an individual receiving services is in violation of their lease. You further indicate that you consulted directly with your licensor. You state you believe you followed all necessary steps for service termination, except for providing the 60-day termination notice.

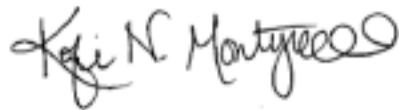
Reconsideration Determination. You acknowledge you did not comply with statutory requirement to give 60 days' notice prior to service termination. However, the documentation you provided on

Rose Kukwa
September 4, 2024
Page 2

reconsideration shows you consulted with the person's support team and that you requested intervention services from the case manager. Therefore, DHS will amend the Correction Order to acknowledge your compliance with these requirements. However, because you did not give 60 days' notice before termination of services, the record supports this citation and it is affirmed.

Disposition: The Commissioner has reviewed the relevant law and all the information you submitted in response to the Correction Order. The evidence presented supports the citation, and it is affirmed. DHS will amend the Correction Order to show you complied with the consultation and intervention requirements of the statute. This is a final agency decision.

Sincerely,

A handwritten signature in black ink that reads "Kofi N. Montzka". The signature is written in a cursive style with a large, stylized "K" and "M".

Kofi Montzka, Attorney
Legal Counsel's Office
Office of Inspector General