

December 4, 2024

Amin Muhumed, Authorized Agent  
Comprehensive Home Care LLC  
711 West Lake Street, Suite 604  
Minneapolis, Minnesota 55408-2995

License Number: 1111426 (245D – HCBS)  
Licensing Investigation Number: 202400882

### **CORRECTION ORDER**

Dear Amin Muhumed:

On September 6, 2024, a licensing review and licensing complaint investigation of Comprehensive Home Care LLC, located at 711 West Lake Street, Suite 604, Minnesota, was conducted to determine compliance with state and federal laws and rules governing the provision of home and community-based services to persons with disabilities and age 65 and older under Minnesota Statutes, Chapter 245D. 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.

1. Citation: Minnesota Statutes, section 245D.05, subdivision 1.

Violation: For one of three persons whose records were reviewed (P2), the license holder did not meet health service needs as required.

The license holder failed to maintain documentation on how P2's health needs would be met, including a description of the procedures the license holder would follow in order to monitor health conditions, according to written instructions from a licensed health professional.

Corrective Action Ordered: Within 30 days of receiving this order, you must maintain documentation on how P2's health needs will be met, including a description of the procedures the license holder will follow in order to monitor health conditions, according to written instructions from a licensed health professional. On an ongoing basis, you must maintain compliance as required in this subdivision.

2. Citation: Minnesota Statutes, section 245D.05, subdivision 2.

Violation: For one person whose record was reviewed (P2), the license holder did not meet the requirements for medication administration as required.

The license holder was assigned the responsibility of administering medications to P2 in P2's support plan. P2 had multiple changes to medications in the months of July 2024 and August 2024. The license holder failed to maintain documentation with a notation of when a medication or treatment was started, administered, changed, or discontinued in P2's medication administration record.

Corrective Action Ordered: On an ongoing basis, you must maintain compliance as required in this subdivision.

3. Citation: Minnesota Statutes, section 245D.051, subdivision 1.

Violation: For one person whose record was reviewed (P2), the license holder did not meet the conditions for psychotropic medication use and monitoring as required.

The license holder was assigned the responsibility of administering psychotropic medications to P2. P2 had multiple psychotropic medications. The license holder failed to maintain documentation with a description of the target symptoms that each psychotropic medication was to alleviate.

For the purposes of this section, "target symptom" refers to any perceptible diagnostic criteria for a person's diagnosed mental disorder, as defined by the Diagnostic and Statistical Manual of Mental Disorders Fourth Edition Text Revision (DSM-IV-TR) or successive editions, that has been identified for alleviation.

Corrective Action Ordered: Within 30 days of receiving this order, you must maintain documentation with a description of the target symptoms that each psychotropic medication is to alleviate. On an ongoing basis, you must maintain compliance as required in this subdivision.

4. Citation: Minnesota Statutes, section 245D.95, subdivision 3.

Violation: For one person whose record was reviewed (P1), the license holder did not maintain service recipient record as required.

The license holder failed to maintain documentation to show a signed statement authorizing the license holder to act in a medical emergency when the P1's legal representative and cannot be reached or is delayed in arriving.

Corrective Action Ordered: Within 30 days of receiving this order, you must maintain a signed statement authorizing the license holder to act in a medical emergency when P1's legal representative cannot be reached or is delayed in arriving. On an ongoing basis, you must maintain compliance as required in this subdivision.

5. Citation: Minnesota Statutes, section 245D.09, subdivision 4.

Violation: For two of three staff persons whose records were reviewed (SP1 and SP2), the license holder did not provide orientation training as required.

- a. SP1 was hired on December 14, 2023. The license holder failed to provide SP1 with the following trainings within 60 days of hire:
  - data privacy requirements according to Minnesota Statutes, sections 13.01 to 13.10 and 13.46, the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), and staff responsibilities related to complying with data privacy practices;
  - the service recipient rights and staff responsibilities related to ensuring the exercise and protection of those rights according to the requirements in Minnesota Statutes, section 245D.04;
  - the principles of person-centered service planning and delivery as identified in Minnesota Statutes, section 245D.07, subdivision 1a, and how they applied to direct support service provided by the staff person;
  - the safe and correct use of manual restraint on an emergency basis according to the requirements in section 245D.061 or successor provisions, and what constitutes the use of restraints, time out, and seclusion, including chemical restraint;
  - staff responsibilities related to prohibited procedures under section 245D.06, subdivision 5, or successor provisions, why such procedures are not effective for reducing or eliminating symptoms or undesired behavior, and why such procedures are not safe;
  - basic first aid; and
  - strategies to minimize the risk of sexual violence, including concepts of healthy relationships, consent, and bodily autonomy of people with disabilities.

The license holder later provided these training to SP1 except for basic first aid.

- b. SP2 was hired on May 4, 2024. The license holder failed to provide SP2 with basic first aid training within 60 days of hire.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide SP1 and SP2 with training on basic first aid. On an ongoing basis, you must maintain compliance as required in this subdivision.

6. Citation: Minnesota Statutes, section 245D.95, subdivision 5.

Violation: For two staff persons whose records were reviewed (SP1 and SP2), the license holder did not maintain personnel records as required.

The license holder failed to maintain documentation of:

- the date of SP2's first supervised direct contact with persons served; and
- the number of hours per subject area for SP1 and SP2's training.

Corrective Action Ordered: On an ongoing basis, you must maintain compliance as required in this subdivision.

If you fail to correct the violations specified in the Correction Order within the prescribed time lines the Commissioner may issue an Order of Conditional License or may impose a fine and order other licensing sanctions pursuant to Minnesota Statutes, sections 245A.06 and 245A.07.

## **B. 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  
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.

Amin Muhumed

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If you have any questions regarding this Correction Order, please contact me at 651-431-3661 as soon as possible.

Amber Nielsen, Home and Community-Based Services Licensor  
Licensing Division  
Office of Inspector General