

March 31, 2025

Suleiman Hassan, Authorized Agent  
Constant Care Corporation  
1710 Douglas Drive North  
#224M  
Minneapolis, Minnesota 55422-4327

License Number: 1116938 (245D – HCBS)

### **CORRECTION ORDER**

Dear Suleiman Hassan:

On March 12, 2025, a licensing review of Constant Care Corporation, located at 1710 Douglas Drive North, Minneapolis, 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 245A.65, subdivision 1 and 2.

Violation: For one of one person whose record was reviewed (P1), the license holder did not maintain license holder responsibilities related to the prevention of maltreatment of vulnerable adults as required.

- a. The license holder failed to provide P1 with orientation to the internal and external reporting policies and procedures of alleged or suspected maltreatment of a vulnerable adult, including the telephone number for the license holder's common entry point, within 24 hours of admission. The license holder initiated services for P1 on May 16,

2023. The documentation maintained in the service recipient record indicated the license holder did not provide orientation to the internal and external reporting policies and procedures to P1 until February 19, 2025.

- b. The license holder failed to develop an accurate IAPP for P1 as part of the initial individual program plan that included:
- an individualized assessment of P1's susceptibility to abuse by other individuals including other vulnerable adults and P1's risk of abusing other vulnerable adults;
  - the statements of the specific measures to be taken to minimize the risk of abuse to P1 and other vulnerable adults;
  - the specific actions the license holder would take to minimize the risk of abuse to P1 within the scope of licensed services; and
  - identified referrals made when P1 was susceptible to abuse outside the scope or control of the licensed services.

Although the license holder completed an IAPP, the information contained in the IAPP was not consistent with information found elsewhere in P1's plan.

Corrective Action Ordered: Within 60 days of receiving this order, you must review, evaluate, and revise the IAPP for P1 to include the requirements outlined above. The IAPP must be reviewed by P1 and P1's case manager and documentation of this review must be maintained in the service recipient record as required. On an ongoing basis, you must maintain compliance as required in this subdivision.

2. Citation: Minnesota Statutes, section 245D.04, subdivision 1.

Violation: For one person whose record was reviewed (P1), the license holder did not maintain responsibility for individual rights of persons served as required.

The license holder failed to provide P1 with a written notice that identified service recipient rights and an explanation of those rights within five working days of service initiation and annually thereafter.

Corrective Action Ordered: Immediately upon receiving this order, you must provide P1 with a written notice that identifies the service recipient rights outlined in 245D.04 subdivision 2 and 3 and an explanation of those rights. You must maintain documentation of P1's receipt of a copy and an explanation of the rights in the service recipient record as required. On an ongoing basis, you must maintain compliance as required in this subdivision.

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

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

- a. The license holder failed to maintain documentation in P1's support plan addendum how health service needs would be met. The license holder was assigned responsibility in the Community Support Plan (CSP) for assisting P1 with scheduling medical appointments. The license holder did not incorporate into P1's support plan how staff would support P1 with scheduling medical appointments.
- b. The license holder failed to maintain documentation in P1's support plan addendum how medication assistance services would be provided to P1. The license holder was assigned responsibility in the CSP for assisting P1 with self-administration of pro re nata (PRN) medication. The license holder did not include instruction in the support plan addendum on how staff would assist and support P1 with accessing PRN medication.

Corrective Action Ordered: Within 60 days of receiving this order, you must include in P1's support plan addendum how the health service needs assigned in the CSP will be provided by staff to P1. On an ongoing basis, you must maintain compliance as required in this subdivision.

4. Citation: Minnesota Statutes, section 245D.07, subdivision 2.

Violation: For one person whose record was reviewed (P1), the license holder did not complete initial service planning for basic support services as required.

- a. The license holder failed to complete a preliminary support plan addendum for P1 within 15 days of service initiation. The license holder initiated services for P1 on May 16, 2023 however, an initial support plan addendum was not created for P1 until January 1, 2024.
- b. The license holder failed to include in the support plan addendum how, when, and by whom services would be provided to P1 including assistance in areas of mobility, positioning, and transferring.

Corrective Action Ordered: Within 60 days of receiving this order, you must include in P1's support plan addendum how, when, and by whom services will be provided to P1. On an ongoing basis, you must maintain compliance as required in this subdivision.

5. Citation: Minnesota Statutes, section 245D.095, subdivision 2 and 3.

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

- a. The license holder failed to maintain a written or electronic register, listing in chronological order the dates and names of all persons served by the program who have

been admitted, discharged, or transferred, including service terminations initiated by the license holder and deaths.

- b. The license holder failed to maintain progress or daily log notes that are recorded by the program for P1.

Corrective Action Ordered: Immediately upon receiving this order, you must begin:

- maintaining a written or electronic register, listing in chronological order the dates and names of all persons served by the program who have been admitted, discharged, or transferred, including service terminations initiated by the license holder and deaths; and
- maintaining progress or daily log notes for all service recipients.

On an ongoing basis, you must maintain compliance as required in this subdivision.

6. Citation: Minnesota Statutes, section 245D.10, subdivision 4.

Violation: For one person whose record was reviewed (P1), the license holder did not make available current written policies and procedures as required.

The license holder failed to inform and provide copies of the following policies and procedures affecting P1's rights to P1's case manager within five working days of service initiation:

- grievance policy and procedure;
- service suspension policy and procedure;
- service termination policy and procedure; and
- emergency use of manual restraints policy and procedure.

Corrective Action Ordered: Immediately upon receiving this order, you must provide to P1's case manager the current written policies and procedures affecting P1's rights including:

- grievance policy and procedure;
- service suspension policy and procedure;
- service termination policy and procedure; and
- emergency use of manual restraints policy and procedure.

The documentation of P1's case manager receiving the policies and procedures must be maintained in the service recipient record as required.

On an ongoing basis, you must maintain compliance as required in this subdivision.

7. Citation: Minnesota Administrative Rules, chapter 9544.0030, subpart 1.

Violation: For one person whose record was reviewed (P1), the license holder did not use positive support strategies as required.

Minnesota Administrative Rules, chapter 9544.0020, subpart 41 defines “positive support strategy” to mean a strengths-based strategy based on an individualized assessment that emphasizes teaching a person productive and self-determined skills or alternative strategies and behaviors without the use of restrictive interventions.

The license holder failed to incorporate in writing to an existing service plan for P1, the positive support strategies to be used when providing services to P1. Although the license holder completed a document titled “Positive Support Strategies” the positive support strategies identified by the license holder did not meet the definition above.

Corrective Action Ordered: Within 60 days of receiving this order, you must develop and incorporate in writing to an existing service plan for P1, the positive support strategies to be used when providing services to P1. On an ongoing basis, you must maintain compliance as required in this subdivision.

8. 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 to the program requirements as required.

The license holder failed to provide and ensure completion of orientation for SP1 and SP2 within 60 calendar days of hire in the following areas:

- 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; and
- basic first aid.

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

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

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

- a. The license holder failed to provide annual training in 2023 to SP1 and annual training in 2025 to SP2 in the following areas:
  - 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; and
  - basic first aid.

Corrective Action Ordered: Within 60 days of receiving this order, you must provide SP1 and SP2 with training on:

- the safe and correct use of manual restraint on an emergency basis according to the requirements in section 245D.061, and what constitutes the use of restraints, time out, and seclusion, including chemical restraint; and
- basic first aid.

Documentation of the training provided including the date training is completed, name of the trainer or instructor, and number of hours per subject area must be maintained in the personnel record as required.

On an ongoing basis, you must maintain compliance as required in this subdivision.

10. Citation: Minnesota Statutes, section 245D.095, subdivision 5, paragraph (a), clause (2).

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 each training was completed for SP1 and SP2.

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

11. Citation: Minnesota Statutes, section 245A.65, subdivision 1.

Violation: The license holder did not maintain a written policy and procedure related to suspected or alleged maltreatment of vulnerable adults and minors as required.

- a. The license holder failed to identify a secondary person or position for the following related to the alleged maltreatment of vulnerable adults:
  - to whom internal reports may be made;
  - who is responsible for forwarding internal reports to the common entry point as defined in section 626.5772, subdivision 5; and
  - who will ensure that, when required, internal reviews are completed.
- b. The license holder failed to identify a secondary person or position who will ensure that, when required, internal reviews are completed related to the alleged maltreatment of minors.

Corrective Action Ordered: Within 60 days of receiving this order, you must review and revise the policy and procedure related to alleged or suspected maltreatment of vulnerable adults to document the above. You must orient service recipients and staff on the updated policy and maintain documentation of the orientation in the service recipient record or personnel policy as required. On an ongoing basis, you must maintain compliance as required in this subdivision.

12. Citation: Minnesota Statutes, section 245D.081, subdivision 1.

Violation: For one staff person whose record was reviewed (SP3), the license holder did not maintain responsibility for program coordination and oversight as required.

The license holder identified SP3 as the managerial staff person that was responsible for program coordination, oversight, and management by performing job duties assigned to the designated coordinator and designated manager. The license holder failed to ensure SP3 was competent to perform the required duties through education, training, and work experience. SP3 had previously been disqualified by the Minnesota Department of Human Services to act in the role of designated coordinator and designated manager.

Failure by SP3 to provide program coordination, oversight, and management is outlined in citations 1-11.

Corrective Action Ordered: Within 30 days of receiving this order, you must designate a managerial staff person to provide program management and oversight of the services provided by the license holder and submit this staff person's name and qualifications to your licensor for approval.

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.

Submissions required as part of a corrective action ordered must be sent to your Licensor at:

1. By secure email at erin.white1@state.mn.us; or
2. If you are unable to submit corrective action ordered securely through email, you can mail or fax using the information below:

Commissioner, Department of Human Services  
ATTN: Erin White  
Licensing Division  
PO Box 64242  
St. Paul, MN 55164-0242

**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:

Suleiman Hassan

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Commissioner, Department of Human Services  
ATTN: Legal Unit  
Licensing Division  
PO Box 64242  
St. Paul, MN 55164-0242

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.

Erin White, Home and Community Based Services Licenser  
Licensing Division  
Office of Inspector General  
651-431-4821