

April 7, 2025

Khalid Ali Abdi, Authorized Agent
Noble Reliable Care
360 Sherman Street, Suite 399
Saint Paul, Minnesota 55102

License Number: 1106727 (245D – HCBS)

CORRECTION ORDER

Dear Khalid Ali Abdi:

On March 11, 2025, a licensing review of Noble Reliable Care, located at 360 Sherman Street, Suite 399, Saint Paul, 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.

Violation: For one of seven persons whose records were reviewed (P5), the license holder did not provide an orientation to the internal and external reporting procedures related to suspected or alleged maltreatment within 24 hours as required.

P5's services were initiated on August 3, 2023. The license holder failed to provide P5 with an orientation to the internal and external reporting procedures of alleged or suspected maltreatment of vulnerable adults within 24 hours of admission. The license holder later provided this to P5.

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

2. Citation: Minnesota Statutes, section 245A.65, subdivision 2.

Violation: For five persons whose records were reviewed (P2, P3, P4, P5 and P6), the license holder did not meet the requirements for individual abuse prevention plans as required.

- a. The license holder failed to include an individualized assessment of P2's susceptibility of abuse. P2's individual abuse prevention plan (IAPP) documented that P2 was not susceptible abuse. This assessment was not consistent with information reviewed elsewhere in P2's record.
- b. The license holder failed to review P2 through P6's individual abuse prevention plans at least annually.
- c. The license holder failed to include an individualized assessment of P6's susceptibility of abuse. P6's individual abuse prevention plan (IAPP) documented that P6 was not susceptible to abuse. This assessment was not consistent with information reviewed elsewhere in P6's record.

Corrective Action Ordered: Within 30 days you must:

- complete an individualized assessment of P2's and P6's susceptibility of abuse;
- revise P2's and P6's IAPP to reflect the results and include a statement of measures that will be taken to minimize the risk of abuse;
- review P2 through P6's IAPP's with the person, case manager, and other members of the support team.

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

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

Violation: For seven persons whose records were reviewed (P1 through P7), the license holder did not provide a written notice that identified the service recipient rights as required.

The license holder failed to provide P1's legal representative, P2, P3, P4, P5, P6 and P7's legal representative with a written notice that identified the service recipient rights in subdivision 2 and 3, and an explanation of those rights annually.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide P1's legal representative, P2, P3, P4, P5, P6 and P7's legal representative with a written notice that identifies the service recipient rights in subdivision 2 and 3, and an explanation of those rights. You must maintain a receipt of the copy and explanation of the rights in P1 through P7's record. On an ongoing basis, you must maintain compliance as required in this subdivision.

4. Citation: Minnesota Statutes, section 245D.06, subdivision 4.

Violation: For one person whose record was reviewed (P5), the license holder did not meet the requirements for safeguarding and handling a person's fund and property, as required.

The license holder was responsible for the safekeeping of funds and other property for P5. The license holder failed to obtain written authorization from P5's case manager to assist P5 with safekeeping of funds and property within five working days of service initiation and authorization from P5 and P5's case manager annually thereafter. Additionally, the license holder failed to survey, document, and implement the preferences of P5 and P5's case manager for frequency of receiving a statement that itemizes receipts and disbursements of funds or other property.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- obtain written authorization from P5 and P5's case manager to assist P5 with safekeeping of funds and property; and
- survey, document, and implement the preferences of P5 and P5's case manager for frequency of receiving a statement that itemizes receipts and disbursements of funds or other property.

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

5. Citation: Minnesota Statutes, section 245D.07, subdivision 1.

Violation: For one person whose record was reviewed (P7), the license holder did not comply with the provision of services as required.

According to the Community-Based Services Manual, individualized home supports with family training cannot be provided by a relative.

P7 received individualized home supports with family training from the license holder. The license holder failed to comply with the federal waiver plan when P7's relative was hired by the license holder as a staff person to provide P7's individualized home supports with family training service.

Corrective Action Ordered: Immediately, upon receiving this order, you must comply with the provision of services according to the requirements of this chapter and the federal waiver plans. On an ongoing basis, you must maintain compliance as required in this subdivision.

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

Violation: For five persons whose records were reviewed (P1, P3, P4, P5 and P6), the license holder did not meet service planning and delivery requirements for basic support services as required.

- a. The license holder failed to review and revise P1, P3, P4, P5 and P6's preliminary support plan addendum to document the services that will be provided including how, when, and by whom services will be provided, and the person responsible for overseeing the delivery and coordination of services within 60 days of service initiation.
- b. The license holder was assigned the responsibility of participating in annual service planning and support team meetings in P6's support plan addendum. The license holder failed to participate in service planning and support team meetings for P6 annually.

Corrective Action Ordered: Within 30 days of receiving this this order, you must:

- review and revise, as needed, P1's, P3's, P4's, P5's and P6's support plan addendum to document the services that will be provided including how, when, by whom services will be provided, and the person responsible for overseeing the delivery and coordination of those services; and
- participate in service planning and support team meetings for P6.

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

7. Citation: Minnesota Statutes, section 245D.07, subdivision 3.

Violation: For three persons whose records were reviewed (P4, P5 and P6), the license holder did not provide written reports as required.

The license holder was assigned responsibility for providing written reports regarding P4's, P5's, and P6's progress or status in their support plan addendums. The license holder failed to provide annual progress review reports to P4's, P5's and P6's support teams.

Corrective Action Ordered: Within 30 days of receiving this this order, you must provide a written reports regarding P4, P5 and P6's progress or status. On an ongoing basis, you must maintain compliance as required in this subdivision.

8. Citation: Minnesota Statutes, section 245D.071, subdivision 3.

Violation: For one person whose record was reviewed (P7), the license holder did not meet initial service planning and assessments for intensive services as required.

- a. The license holder failed to ensure P7's assessments produced information about the person that described the persons overall strengths, functional skills and abilities and behaviors or symptoms. Additionally, the license holder failed to conduct the assessments annually, at minimum.
- b. The license holder failed to hold an initial service planning meeting with P7, P7's legal representative, P7's case manager, and other members of the support team before providing 45 days of service, to determine the following:
 - the scope of the services to be provided to support the person's daily needs and activities;
 - the person's desired outcomes and the supports necessary to accomplish the person's desired outcomes;
 - the person's preferences for how services and supports are provided, including how the provider will support the person to have control of the person's schedule;
 - whether the current service setting is the most integrated setting available and appropriate for the person;
 - opportunities to develop and maintain essential and life-enriching skills, abilities, strengths, interests, and preferences;
 - opportunities for community access, participation, and inclusion in preferred community activities;
 - opportunities to develop and strengthen personal relationships with other persons of the person's choice in the community;
 - how services must be coordinated across other providers licensed under this chapter serving the person and members of the support team or expanded support team to ensure continuity of care and coordination of services for the person;
 - have a discussion of how technology might be used to meet the P7's desired outcomes. The support plan or support plan addendum failed to include a summary of this discussion. The summary must include a statement regarding any decision that is made regarding the use of technology and a description of any further research that needs to be completed before a decision regarding the use of technology can be made.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- revise P7's assessments to ensure the assessments produce information about the person that described the persons overall strengths, functional skills and abilities and behaviors or symptom; and
- meet with P7, P7's legal representative, P7's case manager, and other members of the support team to determine the above mentioned items.

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

9. Citation: Minnesota Statutes, section 245D.071, subdivision 4.

Violation: For one person whose record was reviewed (P7), the license holder did not develop a service plan that documents the service outcomes and supports as required.

The license holder failed to develop a service plan based on the assessments and person centered planning for P7 that documented the following supports and methods to be implemented to support P7 in accomplishing outcomes:

- methods of actions that would be used to support the person and to accomplish the service outcomes, including information about;
 - any changes or modifications to the physical and social environments necessary when the service supports are provided;
 - any equipment and materials required; and
 - techniques that are consistent with the person's communication mode and learning style;
- the measurable and observable criteria for identifying when the desired outcomes had been achieved;
- the projected starting date for implementing the supports and methods; and
- the names of the staff or position responsible for implementing the supports and methods.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- develop a service plan P7 that documents the service outcomes and supports that includes the following:
 - the methods or actions that will be used to support P7 and to accomplish the service outcomes, including information about:
 - any changes or modifications to the physical and social environments necessary when the service supports are provided;
 - any equipment and materials required; and
 - techniques that are consistent with the person's communication mode and learning style;
 - the measurable and observable criteria for identifying when the desired outcome has been achieved and how data will be collected;
 - the projected starting date for implementing the supports and methods and the date by which progress towards accomplishing the outcomes will be reviewed and evaluated; and
 - the names of the staff or position responsible for implementing the supports and methods.

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

10. Citation: Minnesota Statutes, section 245D.071, subdivision 5.

Violation: For one person whose record was reviewed (P7), the license holder did not meet the requirements for service plan review and evaluation.

The license holder failed to meet with P7, P7's legal representative, P7's case manager, and other members of the support team at least once per year to participate in a service plan review meeting to determine whether changes are needed to the service plan based on the assessment information, the license holder's evaluation of progress toward accomplishing outcomes, or other information provided by the support team or expanded support team. Additionally, the license holder failed to have discuss how technology might be used to meet P7's desired outcomes. The support plan addendum failed to include:

- a summary of this discussion including a statement regarding any decision made related to the use of technology; and
- a description of any further research that must be completed before a decision regarding the use of technology can be made.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- meet with P7, P7's legal representative, P7's case manager, and other members of the support team to participate in a service plan review meeting to determine whether changes are needed to the service plan based on the assessment information, the license holder's evaluation of progress toward accomplishing outcomes, or other information provided by the support team or expanded support team;
- have a discussion of how technology might be used to meet P7's desired outcomes
- include a summary of this discussion and a statement regarding any decision made related to the use of technology in P7's support plan addendum; and
- include a description of any further research that must be completed before a decision regarding the use of technology can be made.

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

11. Citation: Minnesota Statutes, section 245D.095, subdivision 3.

Violation: For seven persons whose records were reviewed (P1 through P7), the license holder did not maintain service recipient record as required.

- a. The license holder failed to maintain progress or daily log notes that are recorded by the program for P1 through P7.
- b. The license holder failed to maintain a signed statement for P7 authorizing the license holder to act in a medical emergency when P7's legal representative, if any, cannot be reached or is delayed in arriving.

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

- begin maintaining progress or daily log notes for all service recipients;

- obtain a signed statement for P7 authorizing the license holder to act in a medical emergency when P7's legal representative, if any, cannot be reached or is delayed in arriving.

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

12. Citation: Minnesota Statutes, section 245D.095, subdivision 4.

Violation: For three persons whose records were reviewed (P5, P6 and P7), the license holder did not ensure access to service recipient records as required.

The license holder failed to ensure the following people have access to the information in subdivision 1 in accordance with the applicable state and federal laws, regulations or rules for P5, P6 and P7:

- the person, the person's legal representative, and anyone properly authorized by the person; and
- staff providing services to the person unless the information was not relevant to carrying out the support plan or support plan addendum.

Corrective Action Ordered: Immediately, upon receiving this order, you must ensure access to service recipient records. On an ongoing basis, you must maintain compliance as required in this subdivision.

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

Violation: For four persons whose records were reviewed (P1, P5, P6 and P7), the license holder did not provide written or electronic copies of policies and procedures as required.

- a. The license holder failed to inform P1's case manager, P5's case manager and P6's case manager of the policies and procedures affecting the persons rights under section 245D.04, and provide copies of the following policies and procedures, within 5 working days of service initiation:
 - grievance policy;
 - temporary service suspension policy;
 - service termination policy; and
 - emergency use of manual restraints policy;
- b. The license holder failed to inform P7's case manager of the policies and procedures affecting P7's rights under section 245D.04, and provide copies of the following policies and procedures, within 5 working days of service initiation:
 - grievance policy;
 - temporary service suspension policy;
 - service termination policy;
 - emergency use of manual restraints policy; and

- data privacy policy.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide P1's, P5's, P6's and P7's case managers with written or electronic copies of the above-mentioned policies and procedures. On an ongoing basis, you must maintain compliance as required in this subdivision.

14. Citation: Minnesota Rule, 9544.0030, subpart 1.

Violation: For seven persons whose records were reviewed (P1 through P7), the license holder did not incorporate and evaluate positive support strategies as required.

- a. The license holder failed to incorporate positive support strategies in writing into P1's, P2's, P6's and P7's existing support plans.
- b. The license holder failed to evaluate with P3, P4, and P5 the identified positive supports strategies at least every six months to determine whether changes needed to be made to the positive support strategies used.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- incorporate positive support strategies in writing into P1's, P2's, P6's and P7's existing support plans; and
 - evaluate with P3, P4, and P5 the identified positive supports strategies to determine whether changes needed to be made to the positive support strategies used.
- On an ongoing basis, you must maintain compliance as required in this subdivision.

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

Violation: For three of five staff persons whose records were reviewed (SP1, SP2, and SP3), the license holder did not provide orientation training as required.

The license holder failed to provide SP1, SP2, and SP3 with the following orientation trainings within 60 calendar days of hire:

- 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.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide SP1, SP2, and SP3 with the above mentioned orientation trainings. On an ongoing basis, you must maintain compliance as required in this subdivision.

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

Violation: For two persons whose records were reviewed (SP2 and SP3), the license holder did not provide annual training as required.

The license holder failed to provide annual training to SP2 in 2023 and SP2 and SP3 in 2024 on the following topics:

- data privacy requirements according to 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 implementation of those policies and procedures;
- the service recipient rights and staff responsibilities related to ensuring the exercise and protection of those rights according to the requirements in section 245D.04;
- sections 245A.65, 245A.66, and 626.557 and chapter 260E governing maltreatment reporting and service planning for children and vulnerable adults, and staff responsibilities related to protecting persons from maltreatment and reporting maltreatment;
- the principles of person-centered service planning and delivery as identified in 245D.07, subdivision 1a, and how they apply 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, and what constitutes the use of restraints, time out, and seclusion, including chemical restraint; and
- staff responsibilities related to prohibited procedures under section 245D.06, subdivision 5, why such procedures are not effective for reducing or eliminating symptoms or undesired behavior, and why such procedures are not safe;

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- provide SP2 and SP3 with the above mentioned orientation trainings;
- complete an audit of all staff records to identify staff persons that have not received annual training as required. Any staff identified in this audit must receive annual training on the topics outlined above. The documentation of this training including date the training was completed, the name of the trainer or instructor, and the 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.

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.

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