

April 11, 2025

CERTIFIED MAIL

Abdirisaaq Hasan Osman, Authorized Agent
Edina Home Health Care LLC
919 12th Avenue Southeast, APT 208
Minneapolis, MN 55414-2391

License application number: 1114832 Home and Community-Based Services

ORDER OF LICENSE DENIAL

Dear Abdirisaaq Hasan Osman:

The Department of Human Services (DHS) is denying your application for a HCBS license at 912 East 24th Street, Suite M112 Minneapolis, Minnesota. This denial is based on failure to submit a substantially complete application. Details of our findings are provided below. Our next steps and your options are also detailed.

REASON FOR LICENSE DENIAL

1. Failure to submit a substantially complete application

You submitted an application for a license to provide home and community-based services on July 2, 2022, at 912 East 24 Street, Suite M112, Minneapolis, Minnesota. On January 13, 2025, DHS notified you that your application was incomplete and that you had 45 days to submit additional information, as required by Minnesota Statutes, section 245A.04, subdivision 1. On February 20, 2025, February 24, 2025, and March 5, 2025, DHS reached out to you to remind you to complete your application. On March 5, 2025, after the 45-day deadline, DHS gave you an extension to March 10, 2025, to complete the application, however you did not complete the application by that date. DHS determined your application continued to be substantially incomplete in the following ways:

- you did not submit a qualified designated manager (DM) and designated coordinator (DC) as required under Minnesota Statutes, section 245D.081;
- you did not submit a compliant Certificate of Compliance/Minnesota Workers Compensation form;
- you did not complete background studies for all controlling individuals;
- you did not submit Minnesota Secretary of State documentation; and
- you failed to submit a compliant service termination policy.

Legal Authority: 245A.05, subdivision (a)(1).

2. Commissioner's evaluation of program

In determining whether a licensing action is warranted, DHS evaluated the facts, conditions, and circumstances concerning your program's operation. This includes consideration of the program's operation, the well-being of persons that served by your program, available evaluations of the program by persons receiving services, information about the qualifications of staff persons that are working in your program, and the applicant's ability to demonstrate competent knowledge of the applicable requirements of statutes and rules. DHS has determined that the denial of your license is appropriate based on the violation identified above and the program evaluation.

Your inability to submit a complete application and to communicate with DHS calls into question your ability to follow the applicable laws and rules; to be able to operate a program; and to ensure the well-being of persons served. You did not have a qualified DC and DM. Every licensed HCBS program is required to provide a qualified DC and DM. These positions provide management and oversight of the program and are responsible for ensuring the program operates in compliance with licensing rules and statutes. The well-being of the persons served would be at risk because you did not obtain background studies for all controlling individuals. Regarding the operation of the program and competent knowledge, your failure to complete the application as explained in the violation above, shows you are likely struggle with meeting the legal requirements necessary operate a complex home and community-based services program. As a result, DHS is concerned about your ability to provide for the health and safety of vulnerable persons you seek to serve.

Legal Authority: Minnesota Statutes, section 245A.04, subdivision 6.

Your license to provide Home and Community-Based Services is denied.

YOUR RIGHT TO APPEAL

You have the right to appeal the denial. Your request must be in writing and clearly state that you are requesting a contested case hearing for this matter. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when you received this order.

If you are mailing your request, it must be sent by certified mail and postmarked within 20 calendar days from when you received this order. Please send it 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

Abdirisaaq Hasan Osman, Authorized Agent

April 11, 2025

Page 3

If your request is being personally delivered, it must be received by DHS within 20 calendar days from when you received this order. Please bring it to:

Commissioner, Department of Human Services
Office of Inspector General
Legal Counsel's Office
Attention: Licensing Legal Unit
444 Lafayette Road North
St. Paul, MN 55155

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. Following this hearing, the Commissioner of DHS will issue a final order. If you do not appeal or if the order is affirmed by the Commissioner following a hearing, DHS is prohibited from issuing you and the controlling individuals a license for two years.

Legal representation at the contested case hearing:

You do not need a lawyer to appeal. However, a lawyer can help you with your appeal. The state or county will not get you a lawyer and will not pay for a lawyer. If you cannot afford a lawyer, you may be able to get free legal advice or help with your appeal. To find out if free help is available, contact: Volunteer Lawyers Network at 612-752-6677; Central Minnesota Legal Services at 612-332-8151; Southern Minnesota Legal Services at 651-222-4731; or go to www.lawhelpmn.org to find a local legal services program that may be able to help you.

You can also find information on contested cases from the Office of Administrative Hearings website at <https://mn.gov/oah/self-help>. Click on Administrative Law Overview, then click on Administrative Law Contested Case Hearing Guide for a list of frequently asked questions.

Legal authority for this licensing action

- This action is taken under Minnesota Statutes, section 245A.05, subdivision (a), which describes under which conditions DHS may deny a license.
- "Controlling individual" is defined under Minnesota Statutes, section 245A.02, subdivision 5a.
- Minnesota Statutes, section 245.095 defines which programs administered by DHS are included in the exclusion provision, and further defines "excluded," "individual," and "provider."
- License holders have a right to appeal licensing actions and request a contested case hearing, under Minnesota Statutes, chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (2), the commissioner shall not issue or reissue a license if the applicant, license holder, or controlling individual has been denied a license under this chapter within the past two years.

Questions

If you have any further questions regarding this matter, you may contact Renae Dressel, Supervisor, at 651-431-2661.

Abdirisaaq Hasan Osman, Authorized Agent

April 11, 2025

Page 4

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "Christala Culhane".

Christala Culhane, Unit Manager

Licensing Division

Office of Inspector General