DEPARTMENT OF HUMAN SERVICES

May 1, 2025

Saleem Karmaliani, Authorized Agent
Primrose School of Edina
2841 E Lake of the Isles Pkwy
Minneapolis, MN 55408

License Number 1110144 (Child Care Center)

ORDER TO PAY A FINE FOR

BACKGROUND STUDY VIOLATION

Dear Saleem Karmaliani:

The Department of Human Services (DHS) is ordering you to pay a fine of $800 for four out of five background study violations that occurred at Primrose School of Edina, located at 7300 Metro Blvd, Edina, Minnesota. Details of our findings are provided below. Our next steps and your options are also detailed.

Reason for the Fine

DHS is issuing this fine order based on your failure to comply with the following background study requirement:

Background Study Violation Determined on April 8, 2025:

1. While preparing for a licensing review, a DHS licensor determined you failed to repeat a background study for five child care program staff within five years of the staff person's most recent study.

   SP1 began working in a position allowing direct contact services to persons served by the program on March 27, 2023. You initiated an enhanced background study request for SP1 on December 12, 2022. SP1's fingerprints were taken on July 17, 2019. Because SP1's fingerprints were taken on July 17, 2019, SP1's background expired July 22, 2024. However, you did not initiate a new background study request for SP1 until November 18, 2024. SP1 worked at the program without a background study from July 22, 2024, until November 18, 2024.

   Because you self-corrected the background study violation involving SP1 before the Commissioner discovered the violation, the license holder is not being fined for the background study violation involving SP1.

   SP2 began working in a position allowing direct contact services to persons served by the program on March 27, 2023. You initiated an enhanced background study request for SP2 on December 15, 2022. SP2's fingerprints were taken on July 17, 2019. Because SP2's fingerprints were taken on July 19, 2019,

SP2's background study expired on July 22, 2024. However, you did not initiate a new background study request for SP2 until November 18, 2024. SP2 worked at the program without a background study July 22, 2024, to November 18, 2024.

SP3 began working in a position allowing direct contact services to persons served by the program on March 27, 2023. You initiated an enhanced background study request for SP3 on December 15, 2022. SP3's fingerprints were taken on July 17, 2019. Because SP3's fingerprints were taken on July 17, 2019, SP3's background study expired on July 22, 2024. However, you did not initiate a new background study request for SP3 until November 18, 2024. SP3 worked at the program without a background study July 22, 2024, to November 18, 2024.

SP4 began working in a position allowing direct contact services to persons served by the program on March 27, 2023. You initiated an enhanced background study request for SP4 on December 15, 2022. SP2's fingerprints were taken on August 14, 2019. Because SP4's fingerprints were taken on August 14, 2019, SP4's background study expired on August 20, 2024. However, you did not initiate a new background study request for SP4 until November 18, 2024. SP4 worked at the program without a background study August 20, 2024, to November 18, 2024.

SP5 began working in a position allowing direct contact services to persons served by the program on March 27, 2023. You initiated an enhanced background study request for SP5 on December 15, 2022. SP5's fingerprints were taken on August 16, 2019. Because SP5's fingerprints were taken on August 16, 2019, SP5's background study expired on August 23, 2024. However, you did not initiate a new background study request for SP5 until November 18, 2024. SP5 worked at the program without a background study August 23, 2024, to November 18, 2024.

Statute Violated: Statute Violated: Minnesota Statutes, section 245C.03, subdivision 1, paragraph (a); section 245C.04, subdivision 1, paragraph (b); and section 245C.05, subdivision 2, paragraph (a).

Fine: $800 (five background study violations – four fineable at $200 per violation)

Corrective Action Required: Correct immediately and submit your response through the Provider Hub within 30 days from the date of this letter detailing how compliance has been achieved. You must maintain compliance going forward.

Billing and Payment of the Fine

After 10 calendar days from the date of this letter, DHS will send you an invoice for the $800 fine through the Provider Hub. Payment must be made as directed on the invoice.

If you request a contested case hearing, as described below, do not pay the fine at this time. Following the contested case hearing, the Commissioner of DHS will issue a final order on this matter.

Please note, you may not avoid payment of this fine by closing, selling, or otherwise transferring the license to a third party. If this occurs, you are personally responsible for payment. If you do not pay the fine on or before the date specified on the invoice and you did not request a contested case hearing, as described below, the Commissioner may issue a second fine, may not issue or reissue a license, or may suspend the license until the license holder pays the fine.

Your Right to Appeal

You have the right to appeal this fine. If you choose to appeal this order, you must use the Provider Hub (https://providerhub.dhs.mn.gov/) to submit your request. Your request must be made before the deadline provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when this order was issued in the Provider Hub.

Your request for an appeal must be submitted in the Provider Hub within 10 calendar days from the date it was issued in the Provider Hub.

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.

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.justice4mn.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.

Posting of this Licensing Action

You are required to place this Order to Pay a Fine in a place that is clearly noticeable to the people receiving services and all visitors to the facility for two years, even if you appeal.

Legal Authority for this Licensing Action

- DHS may impose a $200 fine for each background study violation under Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c)(4)(iv).

- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c)(5) states that license holders may not avoid payment of a fine by closing, selling, or transferring a license.
- Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d)(4), states that DHS shall not issue or reissue a license if the applicant, license holder, or controlling individual has an outstanding debt related to a license fee, licensing fine, or settlement agreement for which payment is delinquent.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c)(2), states that that the license holder shall pay the fine assessed on or before the payment date specified, and if the license holder does not do so the commissioner may issue a second fine or suspend the license until the license holder complies.
- 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.
- The requirement to post this order in a clearly visible location is required under Minnesota Statutes, section 245A.07, subdivision 5.

Questions

If you have any further questions regarding this matter, you may contact me at 651-431-6030, extension 4018.

Sincerely,

Chad Kratzke, Unit Supervisor
Licensing Division
Office of Inspector General