

May 1, 2025

Shalon Fiala, Authorized Agent  
Alliance Health Care Inc  
2260 Cliff Road  
St Paul, Minnesota 55122

License Number: 1072958 (245D – Home and Community-Based Services)  
License Complaint Report Number: 202500896

### **CORRECTION ORDER**

Dear Shalon Fiala:

A licensing complaint investigation of Alliance Health Care Inc, located at 2260 Cliff Road, St 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 245D.07, subdivision 1a.

Violation: For one person whose record was reviewed (P1), the license holder did not provide services as specified in the support plan addendum as required.

The license holder failed to provide services to P1 in response to P1's identified needs as specified in the support plan and the support plan addendum. The license holder provided P1 80 hours of individualized home support and was responsible for assisting P1 with completing laundry, housekeeping chores, and toileting. On January 23, 2025 emergency responders arrived at P1's home, where services were provided, and observed the following:

- a pile of feces and toilet paper;
- a pile of garbage that reached the height of the ceiling; and
- P1 wearing dirty clothing and slippers.

Corrective Action Ordered: Immediately, you must provide services to P1 according to P1's identified

needs as specific in their support plan and support plan addendum. On an ongoing basis, you must maintain compliance as required in this subdivision.

2. Citation: Minnesota Statutes, section 245D.09, subdivision 2.

Violation: For one staff person whose record was reviewed (SP1), the license holder did not provide adequate supervision of staff providing direct support as required.

The license holder provided P1 individualized home support and SP1 was the only staff providing direct support services to P1 through the license holder. The license holder failed to provide adequate supervision of SP1 to ensure the health, safety, and protection of rights of P1 and implementation of the responsibilities assigned to the license holder in P1's support plan or support plan addendum. On April 2, 2025, the license holder informed a DHS licensor that they did not provide SP1 supervision or training to P1's individual needs.

Corrective Action Ordered: Immediately, you must:

- provide adequate supervision of staff providing direct support to ensure the health, safety and protection of rights for P1; and
- provide the level of supervision, assistance and training necessary to be able to implement the responsibilities assigned to the license holder in P1's support plan or identified in the support plan addendum.

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

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

Violation: For one staff person whose record was reviewed (SP1), the license holder did not provide orientation to individual service recipient needs as required.

The license holder failed to provide SP1 with orientation to the following information before SP1 had unsupervised direct contact with P1:

- review and instruction on P1's support plan or support plan addendum as it related to the responsibilities assigned to the license holder;
- P1's individual abuse prevention plan, to achieve and demonstrate an understanding of P1 as a unique individual; and
- how to implement those plans.

Corrective Action Ordered: Immediately, you must provide SP1 the training detailed above. Additionally, you must document this training in SP1's personnel record according to the requirements in Minnesota Statutes, section 245D.095, subdivision 5. On an ongoing basis, you must maintain compliance as required in this subdivision.

4. Citation: Minnesota Statutes, section 245D.081.

Violation: The license holder did not meet the requirements for program coordination, evaluation, and oversight.

- a. The license holder failed to ensure that the designated coordinator provided supervision, support, and evaluation of the following activities:
- oversight of the license holder's responsibilities assigned in the person's coordinated service and support plan and the coordinated service and support plan addendum;
  - taking the action necessary to facilitate the accomplishment of the outcomes according to the requirements in section 245D.07;
  - instruction and assistance to direct support staff implementing the CSSP and the service outcomes, including the failure to have an established process in which the designated coordinator determines the competency of the person that has been has delegated the responsibility to directly observe the service delivery activities to assess staff competency; and
  - evaluation of the effectiveness of service delivery, methodologies, and progress on the person's outcomes based on the measurable and observable criteria for identifying when the desired outcome has been achieved according to the requirements in section 245D.07.

The failure to provide program coordination and oversight of the services provided is evidenced in citations 1 through 3.

- b. The license holder failed to ensure the designated manager provided program management and oversight of the services provided by the license holder, including:
- maintaining a current understanding of the licensing requirements sufficient to ensure compliance throughout the program as identified in section 245A.04, subdivision 1, paragraph (e), and when applicable, as identified in section 256B.04, subdivision 21, paragraph (g);
  - ensuring the duties of the designated coordinator are fulfilled according to the requirements in subdivision 2; and
  - ensuring staff competency requirements are met according to the requirements in section 245D.09, subdivision 3, including ensuring periodic performance evaluations of the direct support staff's ability to perform the job functions based on direct observation are completed by the license holder.

The failure to provide program management and oversight of the services provided is evidenced in citations 1 through 3.

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

- review the duties and responsibilities of the designated coordinator and designated manager according to Minnesota Statutes, section 245D.081, subdivision 2 and 3 with your designated coordinator and designated manager;
- have your designated coordinator and designated manager sign an acknowledgement that they have reviewed and understand the duties and responsibilities; and
- evaluate the effectiveness of service delivery and methodologies for P1.

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  
ATTN: Legal Unit  
Licensing Division  
PO Box 64953  
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.

Nichol Ginther HCBS Licensor  
Licensing Division  
Office of Inspector General  
651-431-4822