

May 6, 2025

CERTIFIED MAIL

Radia Moti, Authorized Agent
Radia Moti
17942 Hawksbill Drive
Lakeville, MN 55044-4997

License Application Number 1115045 (245D-DHS)

ORDER OF LICENSE DENIAL

Dear Radia Moti:

The Department of Human Services (DHS) is denying your application for a Home and Community-Based Services (HCBS) license at 17942 Hawksbill Drive, Lakeville, 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 20, 2022, at 17942 Hawksbill Drive, Lakeville, Minnesota. On March 6, 2025, DHS sent you a Notice of Incomplete Application, notifying you that your application was incomplete and that you had 45 days to submit additional information. DHS determined your application continued to be substantially incomplete in the following ways:

- you did not provide a qualified designated manager (DM) as required under Minnesota Statutes, section 245D.081;
- you did not provide a qualified designated coordinator (DC) as required under Minnesota Statutes, section 245D.081;
- you did not complete background studies for all controlling individuals;
- you did not identify all controlling individuals;
- you did not provide an organizational chart that appropriately reflected the controlling individuals;
- your Minnesota Workers' Compensation Form was substantially deficient; and
- your maltreatment of minors mandated reporting policy was substantially deficient.

Legal Authority: Minnesota Statutes, section 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 violations identified above and the program evaluation.

The license application process is necessary to ensure compliance with the law and is a tool to evaluate your competency to provide HCBS licensed services. Your inability to submit a complete application in the 45 day period 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. DHS has determined that denial of your license application is appropriate.

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

Due to the serious and chronic nature of these violations, which impact the health and safety of persons served in your care, 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

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

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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.
- 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 Brittany Raddatz, Supervisor, at 651-431-6591.

Sincerely,



Christala Culhane, Unit Manager
Licensing Division
Office of Inspector General