

September 03, 2025

Marryan Gaal, Authorized Agent
Abukar Home Health Care LLC
1821 University Avenue West Suite 229
Saint Paul, Minnesota 55104

License Number: 1113164 (245D – Home and Community-Based Services)

CORRECTION ORDER

Dear Marryan Gaal:

On July 7, 2025, a licensing review of Abukar Home Health Care LLC, located at 1821 University Avenue West Suite 229 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 245D.04, subdivision 1.

Violation: For one of one person whose record was reviewed (P1), the license holder did not provide service recipient rights as required.

245A.02, subdivision 2b defines “annual” or “annually” to mean prior to or within the same month of the subsequent calendar year.

The license holder did not provide P1 with a written notice that identified the service recipient rights in subdivisions 2 and 3, and an explanation of those rights annually. The license holder provided P1 with the service recipient rights on February 1, 2024, and on March 3, 2025.

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

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

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

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

- the license holder's current policies and procedures required under Minnesota Statutes, chapter 245D, including their location, access, and staff responsibilities related to the implementation of those policies and procedures, including:
 - consumer grievance and complaint procedures;
 - consumer temporary service suspension;
 - consumer service termination;
 - prohibition of drug and alcohol use policy; and
 - emergency use of manual restraint;

Corrective Action Ordered: Within 60 days of receiving this order, you must provide SP1 and SP2 with an orientation and training to the requirements identified above and maintain documentation of this training in their personnel record. On an ongoing basis, you must maintain compliance as required in this subdivision.

3. Citation: Minnesota Statutes, section 245D.09, subdivision 4a, paragraph (c).

Violation: For two staff persons whose records were reviewed (SP1 and SP2), the license holder did not provide orientation to individual service recipient needs as required.

The license holder did not provide the following orientation to SP1 and SP2 before having unsupervised direct contact with a person served by the program:

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

Correction Order: Within 30 days of receipt of this order, you must provide the orientation listed above to SP1 and SP2 for each service recipient that the staff person provides direct support services to. Additionally, you must document this training in SP1's and SP2's personnel record according to 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.09, subdivision 5.

Violation: For one staff person whose records were reviewed (SP1), the license holder did not provide annual training as required.

245A.02, subdivision 2b defines "annual" or "annually" to mean prior to or within the same month of the subsequent calendar year.

The license holder failed to provide SP1 with annual training on the following topics on the following topics prior to or within the same month of the subsequent calendar year as required:

- data privacy requirements according to sections 13.01 to 13.10 and 13.46, the federal Health Insurance Portability and Accountability Act of 1996 (HIPPA), and staff responsibilities related to complying with data privacy practices;
- 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; and
- 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.

Corrective Action Ordered: Within 60 days of receiving this order, you must:

- provide SP1 training on the topics identified above;
- complete an audit of all staff records to ensure all required training has been completed and is current per the requirements of this chapter;
- provide any lapsed training identified in the audit to the staff persons and maintain documentation of this training as required in section 245D.095, subdivision 5; and
- maintain documentation of the audit results at your program for review by DHS licensors.

5. Citation: Minnesota Statutes, section 245D.095, subdivision 1.

Violation: For one person whose record was reviewed (P1), the license holder did not maintain service recipient records as required.

The license holder did not maintain progress or daily log notes that are recorded by the program.

Corrective Action Ordered: Within 30 days of receiving this order, you must maintain progress or daily log notes. On an ongoing basis, you must maintain compliance as required in this subdivision.

6. Citation: Minnesota Statutes, section 245D.095, subdivision 5, paragraphs (a).

Violation: For two of two staff persons whose records were reviewed (SP1 and SP2), the license holder did not maintain personnel records as required.

The license holder failed to maintain personnel records for SP1-SP2 that documented staff orientation and training, including the date the training was completed, the number of hours per subject area, and the name of the trainer or instructor.

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

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

Violation: For one person whose record was reviewed (P1), the license holder did not provide policies and procedures as required.

The license holder did not inform P1's case manager of the following policies and procedures affecting a person's rights, and provide copies of those policies and procedures within five working days of service initiation, including:

- grievance policy and procedure; and
- service suspension and termination policy and procedure.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide P1's case manager 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.

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.

Amanda Spartz, HCBS Licensor
Licensing Division
Office of Inspector General
651-431-6092