

October 20, 2025

CERTIFIED MAIL

Donald Horsman, Authorized Agent
Open Roads LLC
9131 13th Avenue South
Bloomington, Minnesota 55425-2211

License Number: 1115449 – (HCBS)

ORDER OF LICENSE DENIAL

Dear Donald Horsman:

The Department of Human Services (DHS) is denying your application for a Home and Community-Based Services license at 9131 13 Avenue South, Bloomington, Minnesota. This denial is based on disqualification of a controlling individual. Details of our findings are provided below. Our next steps and your options are also detailed.

REASON FOR LICENSE DENIAL

1. Disqualification of a controlling individual

The commissioner shall not issue a license if an applicant or a controlling individual has a disqualification that has not been set aside and no variance has been granted.

On June 6, 2025, DHS notified you that a controlling individual (C1) had a disqualification and informed you that C1 had a right to request reconsideration of the disqualification.

On July 8, 2025, C1 requested reconsideration of the disqualification. On July 29, 2025, DHS notified C1 that the disqualification was not set aside, and a variance was not granted. C1 was also notified of the right to request a fair hearing on the disqualification. If you appeal this denial order and C1 appeals the disqualification, C1's disqualification will be reviewed as a part of the contested case hearing.

Legal Authority: Minnesota Statutes, section 245A.05, subdivision (a)(4); Minnesota Statutes, section 245A.04, subdivision 7(d)(1).

Because C1 is disqualified from any position allowing direct contact with, or access to, persons served by DHS-licensed programs, and in order to protect the health, safety, and rights of persons served who would be in your care, your application 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
Licensing Division
Attention: Legal Unit
PO Box 64242
St. Paul, MN 55164-0242

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
Licensing Division
Attention: 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.

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Legal authority for this licensing action

- “Controlling individual” is defined under Minnesota Statutes, section 245A.02, subdivision 5a.
- When a denial of a license is based on a disqualification for which reconsideration was timely requested and was not set aside, and the disqualified individual otherwise has no hearing right under section 245C.27, the scope of the contested case hearing for the denial shall also include the risk of harm review under Minnesota Statutes, section 245A.08, subdivision 2a, paragraph (g).
- 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.

Sincerely,

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

Christala Culhane, Unit Manager
Licensing Division
Office of Inspector General