

November 7, 2025

CERTIFIED MAIL

David Backus, Authorized Agent
Evergreen Recovery
14015 Julliard Street NE
Forest Lake, MN 55025

License Number 1079365

ORDER OF LICENSE REVOCATION

Dear David Backus:

The Department of Human Services (DHS) is revoking your license to provide Substance Use Disorder Treatment Services at 1400 Energy Park Drive, Suite 19-21, St. Paul, MN 55108-5272.. This revocation is based on a disqualification of a controlling individual. Details of our findings are provided below. Our next steps and your options are also detailed.

The revocation goes into effect on November 21, 2025, at 4:00pm to allow time for delivery of this order and ten days for you to inform the Commissioner whether you intend to appeal the license revocation explained below.

REASON FOR LICENSE REVOCATION

1. Disqualification of a controlling individual

On May 15, 2025, DHS notified you that a controlling individual (C1) had a disqualification, and ordered you to immediately remove the individual.

On June 4, 2025, C1 requested reconsideration of the disqualification. On October 13, 2025, DHS notified C1 that the disqualification was not set aside and that the program had the right to request a variance. C1 was also notified that the disqualification decision is now final because C1 did not request a fair hearing after being previously notified of the right to do so.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3(a)(2) and Minnesota Statutes, section 245C.29, subdivision 2.

YOUR RIGHT TO APPEAL

You have the right to appeal the revocation. 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 10 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 10 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
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 five years. In addition, any additional licenses held by you or the controlling individuals shall also be revoked.

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.

Operating the program pending the outcome of the appeal:

On August 2, 2024, your license was placed into pending reopening status because of an ongoing investigation. A license renewal fee for calendar year 2025 was not paid; therefore, your licensing state was moved to closed/under investigation. As a result, if you appeal the revocation, you cannot operate.

Legal authority for this licensing action

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 3, which describes under which conditions DHS may revoke a license.
- The timeline to appeal a revocation order is provided in Minnesota Statutes, section 245A.07, subdivision 3(b).
- "Controlling individual" is defined under Minnesota Statutes, section 245A.02, subdivision 5a.
- Minnesota Statutes, section 245C.29, subdivision 2, paragraph (a), clause (3) states that a disqualification is final if the individual did not timely request a hearing after being given the right to do so. Under paragraph (c), the commissioner's decision regarding the risk of harm shall be the final agency decision and is not subject to a hearing under this chapter, chapter 14, or section 256.045.
- 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 (3), the commissioner shall not issue a license if the applicant, license holder, or controlling individual has had a license issued under this chapter revoked within the past five years.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), when a license issued under this chapter is revoked, the license holder and each affiliated controlling individual may not hold any license under chapter 245A for five years following the revocation, and other licenses held by the applicant, license holder, or controlling individual shall also be revoked.

If you have any further questions regarding this matter, you may contact me at 651-431-5653.

Sincerely,



Paula Halverson, Unit Manager
Licensing Division
Office of Inspector General