

February 19, 2026

CERTIFIED MAIL

James Osagiede, Authorized Agent
J & K Comfort Home
211 Palomino Road SE
Isanti MN 55040-7317

License Number 1125296-H_CRS (Home and Community-Based Services-Community Residential Setting)
License Number 1093706-HCBS (Home and Community-Based Services)
Report Number 202502194

DETERMINATION OF MALTREATMENT AND ORDER TO PAY A FINE

Dear James Osagiede:

The Department of Human Services (DHS) determined that J & K Comfort Home, located at 311 Arabian Lane SE, Isanti, Minnesota, is responsible for maltreatment by neglect. Based on this determination, DHS is ordering you to pay a fine of \$1000. Details of our findings are provided below and in the enclosed Investigation Memorandum for report 202502194. Our next steps and your options are also detailed.

I. Determination of Maltreatment

It was reported that a staff person (SP) did not provide adequate supervision to a vulnerable adult (VA) and subsequently the VA and a family member (FM) had sexual contact at the facility.

Based on the maltreatment investigation, DHS determined that J & K Comfort Home was responsible for neglect of the VA. See the enclosed Investigation Memorandum for more information.

Legal Authority: Minnesota Statutes, section 626.557, subdivision 9c.

Fine: \$1000

Citation related to the maltreatment

Citation: Minnesota Statutes, section 245D.07, subdivision 1a, paragraphs (a) and (b).

Violation: The license holder did not provide services in response to the person's identified needs as specified in the support plan and support plan addendum. Services must be provided in a manner that supports the person's preferences, daily needs, and activities.

From February 21 to 22, 2025, the facility did not support the served persons' support plans when there was only one staff person working and there should have been two staff persons working to meet the persons' served staffing ratio requirements. In addition, during this time a staff person (P) did not check on a client (C) hourly as specified in the C's support plans.

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

II. Order to Pay a Fine

Because DHS determined that J & K Comfort Home is responsible for maltreatment you must pay a \$1000 fine.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), subparagraph (4).

Billing and Payment of the Fine

DHS will send you an invoice for the \$1000 fine. Payment must be made as directed on the invoice.

If you request a contested case hearing, as described below, do not pay the fine at this time. After the contested case hearing, the Commissioner of DHS will issue a final order.

Please note, you may not avoid payment of this fine by closing, selling, or otherwise transferring the license to a third party. If this occurs, each controlling individual is personally and jointly responsible for payment.

If you do not pay the fine on or before the date specified on the invoice and you did not request a contested case hearing, as described below, the Commissioner may issue a second fine, may not issue or reissue a license, or may suspend the license until the license holder pays the fine.

III. YOUR RIGHT TO APPEAL

You have right to appeal the maltreatment determination and/or fine. Please see options below.

Should you exercise your rights to appeal send:

Certified mail to:	Personal delivery 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	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

1. Right to appeal the fine and maltreatment determination

You have the right to appeal the fine and maltreatment determination. 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 15 calendar days from when you received this order. See address Section III.

If your request is being personally delivered, it must be received by DHS within 15 calendar days from when you received this order. See address Section III.

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. After this hearing, the Commissioner of DHS will issue a final order.

2. Request for reconsideration of the maltreatment determination only

If you do not appeal the fine, you may still request reconsideration of the maltreatment determination. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to request reconsideration. The timeline to request reconsideration began when you received this order.

Your request must:

- Be in writing
- Clearly state that you are requesting reconsideration of the maltreatment determination
- Identify what is inaccurate or incomplete about the information in the Investigation Memorandum
- Supply information that is accurate or more complete
- State why you believe the finding of maltreatment should be changed
- Be made before the deadlines provided below.

Your request must be postmarked within 15 calendar days from when you received this order. See address Section III.

A response to your reconsideration request will be mailed within 15 working days after DHS receives your request. You have the right to request a fair hearing if a response is not mailed within 15 working days.

3. Right to appeal the order to pay a fine only

You have the right to only appeal the fine. 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. See address Section III.

If your request is being personally delivered, it must be received by DHS within 10 calendar days from when you received this order. See address Section III.

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. After this hearing, the Commissioner of DHS will issue a final order.

4. 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.justice4mn.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.07, subdivision 1, paragraph (a), which describes under which conditions DHS may impose a fine against a license.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (4), item (i) provides that DHS may impose a \$1000 fine for each determination of maltreatment of a vulnerable adult under section 626.557 for which the license holder is determined responsible.

James Osagiede, Authorized Agent

February 19, 2026

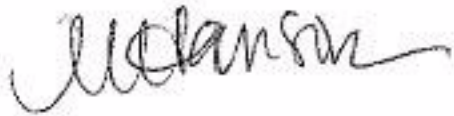
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- In determining whether the facility, an individual, or both are responsible for substantiated maltreatment, DHS must consider the mitigating factors provided in Minnesota Statutes, section 626.557, subdivision 9c, paragraph (c).
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (5) states that license holders may not avoid payment of a fine by closing, selling, or transferring 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.
- License holders have a right to request reconsideration of a maltreatment determination, under Minnesota Statutes, section 626.557, subdivision 9d.
- Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (4), states that DHS shall not issue or reissue a license if the applicant, license holder, or controlling individual has an outstanding debt related to a license fee, licensing fine, or settlement agreement for which payment is delinquent.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (2), states that the license holder shall pay the fine assessed on or before the payment date specified, and if the license holder does not do so the commissioner may issue a second fine or suspend the license until the license holder complies.

Questions

If you have any further questions regarding this matter, you may contact Sarah Schumacher, Supervisor, at 651-431-6555.

Sincerely,



Maggie Hanson, Intake & Investigations Unit Manager
Licensing Division
Office of Inspector General

Enclosure