



S.F. No. 1146 – Chapter 245D providers licensing violation actions provisions modifications (as amended by the A-3 delete everything amendment)

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Section 1 adds **245A.042, subdivision 5 - Compliance education required**, which requires the commissioner of human services to provide chapter 245D license holders with opportunities to learn how to achieve and maintain compliance with their licensing requirements.

Section 2 adds **245A.042, subdivision 6 - Initial compliance monitoring**, which requires the commissioner of human services to conduct an initial compliance monitoring visit 12 months after issuing an initial license under chapter 245D for the purposes of providing technical assistance on how the license holder can achieve and maintain compliance with their licensing requirements. This language is based on language from 2012 related to the initial implementation of the chapter 245D HCBS service standards.

Section 3 adds **245A.042, subdivision 7 - Technical assistance and legal referrals required**, which requires the commissioner of human services to provide technical assistance and legal referrals to chapter 245D license holders who are subject to licensing actions.

Section 4 amends **245A.06, subdivision 1a - Correction orders and conditional licenses for programs licensed as home and community-based services**.

The amendments to paragraphs (a) and (b) are technical and clarifying.

Paragraph (c) requires the commissioner to inform a license holder to whom the commissioner issues a correction order that continued violation of chapter 245A or 245D requirements may result in an order of conditional license.

Paragraph (d) permits the commissioner of human services to reduce the length of a conditional license if the license holder demonstrates compliance or progress toward compliance with the requirements of the conditional license.

Paragraph (e) requires the commissioner to compile and report data regarding chapter 245D licensing actions.

Section 5 amends **245A.06, subdivision 2 - Reconsideration of correction orders**, by requiring the commissioner of human services to offer a chapter 245D license holder, at the license holder's expense, an alternative dispute resolution process following a denial of a request for reconsideration of a correction order.

Old paragraph (b) is obsolete language that was recodified as part of the DCYF recodification project.

Section 6 repeals obsolete language from the initial 2012 implementation of the chapter 245D HCBS service standards.



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