

CHAPTER 9555
DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES FOR ADULTS

9555 6125 LICENSING STUDY
 9555 6145 NEGATIVE LICENSING ACTIONS

9555 9620 LICENSING PROCESS

9555.5415 [Repealed, 15 SR. 2105]

9555.6125 LICENSING STUDY.

[For text of subps 1 to 3, see M.R.]

Subp. 4. Qualifications. Operators, caregivers, and household members must meet the qualifications in items A to G.

A. Operators and caregivers must be adults.

B. Household members and caregivers must be free of reportable communicable disease as named in parts 4605.7000 to 4605.7800. With the exception of caregivers providing less than 30 days of care per year, the household member and caregiver must provide the commissioner with a physician's statement showing the absence of reportable communicable disease and any physical condition that would prevent the caregiver from being able to provide foster care to a resident. The physician's report must be based on an examination of the individual within the 12 months before application for licensure. Caregivers shall provide the commissioner with a physician's report at least once every five years after initial licensure.

C. Operators, caregivers, and household members must agree to disclose the arrest, conviction, and criminal history information specified in subpart 3.

D. Operators, caregivers, and household members must not have a disqualification under part 9543.3070.

E. Operators and caregivers must not have a diagnosis of mental retardation or a related condition and be receiving services under parts 9525.0015 to 9525.0145.

F. [Repealed, L 91 c 38 s 2]

G. Caregivers and household members must not abuse prescription drugs or use controlled substances as named in Minnesota Statutes, chapter 152, or alcohol, to the extent that the use or abuse has or may have a negative effect on the health, rights, or safety of residents.

Subp. 5. Evaluation for cause. The commissioner may require, before licensure or at any time during the licensed term of the adult foster home, a physical, mental health, chemical dependency, or criminal history evaluation of the operator, caregiver, or household member if the commissioner has reasonable cause to believe that any of the qualifications or requirements in subpart 4, items A to G have not been met or that the operator or any caregiver cannot care for a resident. Evaluations must be conducted by a professional qualified by license, certification, education, or training to perform the specific evaluation.

[For text of subps 6 to 13, see M.R.]

Statutory Authority: *MS s 245A.04; 245A.09*

History: *15 SR 2043; L 91 c 38 s 2*

9555.6145 NEGATIVE LICENSING ACTIONS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. [Repealed, 15 SR 2105]

[For text of subps 7 and 8, see M.R.]

Statutory Authority: *MS s 245A.09; 245A.16*

History: *15 SR 2105*

9555.9620 LICENSING PROCESS.

[For text of subps 1 to 6, see M.R.]

Subp. 7. License denial or suspension. The commissioner shall not issue a license or shall suspend a license when the center does not comply with the building, fire, and health codes specified in parts 9555.9600 to 9555.9730 and the deficiencies cited threaten the health, safety, or rights of participants.

[For text of subps 8 to 13, see M.R.]

Statutory Authority: *MS s 245A.04; 245A.09*

History: *15 SR 2043*