

4680.1300 INADEQUATE OR IMPROPERLY FUNCTIONING MECHANISM.

Subpart 1. **Grounds.** The following violations of these rules shall constitute grounds for the issuance of a correction order:

- A. failure to have a grievance mechanism, as required under part 4680.0300;
- B. failure to designate an individual, by name or title, to be responsible for the operation of a grievance mechanism, as required under part 4680.0400;
- C. failure to have an individual within the facility and able to receive complaints during ordinary business hours, as required under part 4680.0500;
- D. failure to maintain complaint records, as required by part 4680.0800;
- E. failure to post notice, as required by part 4680.0900;
- F. failure to submit an annual report, as required by part 4680.1100; and
- G. failure to fulfill the criteria for content of the annual report, as required by part 4680.1100.

Subp. 2. **Time periods for correction.** In no case may the allowable period for correction of any of the violations in subpart 1 exceed 60 days. In no case may the allowable period for correction of violations in subpart 1, items D, F, or G be less than 20 days.

Subp. 3. **Fine amounts.** The amounts which shall be assessed in the event that the facility does not comply with correction orders within the allocated period of time are as follows:

- A. violations as described in subpart 1, item A up to \$200 per violation;
- B. violations as described in subpart 1, item B to \$100 per violation;
- C. violations as described in subpart 1, item C up to \$150 per violation;
- D. violations as described in subpart 1, item D up to \$50 per violation;
- E. violations as described in subpart 1, item E up to \$100 per violation;
- F. violations as described in subpart 1, item F up to \$200 per violation; and
- G. violations as described in subpart 1, item G up to \$100 per violation.

Such fines are payable within 30 days of the assessment, unless there is a facility request for a hearing within that period. Such a request shall stay the collection of the assessed fines, pending the outcome of the hearing.

Statutory Authority: *MS s 144.691*

Published Electronically: *May 12, 1997*