144A.031

144A.031 CONSIDERATION OF APPLICATIONS.

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- (a) Before issuing a license or renewing an existing license, the commissioner shall consider an applicant's compliance history in providing care in a facility that provides care to children, the elderly, ill individuals, or individuals with disabilities.
- (b) The applicant's compliance history shall include repeat violations, rule violations, and any license or certification involuntarily suspended or terminated during an enforcement process.
- (c) The commissioner may deny, revoke, suspend, restrict, or refuse to renew the license or impose conditions if:
- (1) the applicant fails to provide complete and accurate information on the application and the commissioner concludes that the missing or corrected information is needed to determine if a license is granted;
- (2) the applicant, knowingly or with reason to know, made a false statement of a material fact in an application for the license or any data attached to the application or in any matter under investigation by the department;
- (3) the applicant refused to allow agents of the commissioner to inspect the applicant's books, records, files related to the license application, or any portion of the premises;
 - (4) the applicant willfully prevented, interfered with, or attempted to impede in any way:
- (i) the work of any authorized representative of the commissioner, the ombudsman for long-term care, or the ombudsman for mental health and developmental disabilities; or
- (ii) the duties of the commissioner, local law enforcement, city or county attorneys, adult protection, county case managers, or other local government personnel;
- (5) the applicant has a history of noncompliance with federal or state regulations that were detrimental to the health, welfare, or safety of a resident or a client; or
 - (6) the applicant violates any requirement in this chapter or chapter 256R.
 - (d) If a license is denied, the applicant has the reconsideration rights available under chapter 14.

History: 2022 c 98 art 1 s 17