

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 1159

(SENATE AUTHORS: NELSON)

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OFFICIAL STATUS
Introduction and first reading
Referred to Health and Human Services Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to human services; creating fix-it tickets for certain licensing violations;
- 1.3 modifying certain provisions for conditional licenses; amending Minnesota Statutes
- 1.4 2016, section 245A.06, subdivision 1, by adding a subdivision; repealing Minnesota
- 1.5 Statutes 2016, section 245A.06, subdivision 8.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. Minnesota Statutes 2016, section 245A.06, subdivision 1, is amended to read:
- 1.8 Subdivision 1. **Contents of correction orders and conditional licenses.** (a) If the
- 1.9 commissioner finds that the applicant or license holder has failed to comply with an
- 1.10 applicable law or rule and this failure does not imminently endanger the health, safety, or
- 1.11 rights of the persons served by the program, the commissioner may issue a correction order
- 1.12 and an order of conditional license to the applicant or license holder. When issuing a
- 1.13 conditional license, the commissioner shall consider the nature, chronicity, or severity of
- 1.14 the violation of law or rule and the effect of the violation on the health, safety, or rights of
- 1.15 persons served by the program. The correction order or conditional license must state:
- 1.16 (1) the conditions that constitute a violation of the law or rule;
- 1.17 (2) the specific law or rule violated;
- 1.18 (3) the time allowed to correct each violation; and
- 1.19 (4) if a license is made conditional, the length and terms of the conditional license.
- 1.20 (b) Nothing in this section prohibits the commissioner from proposing a sanction as
- 1.21 specified in section 245A.07, prior to issuing a correction order or conditional license.

(c) A correction order or an order of conditional license must be posted for one year and include the applicant's or license holder's response to the correction order or an order of conditional license.

(d) During a licensing inspection, if a correction order or an order of conditional license may be issued, the license holder must be informed of the potential correction order or an order of correctional license at the time of the licensing inspection.

Sec. 2. Minnesota Statutes 2016, section 245A.06, is amended by adding a subdivision to read:

Subd. 1b. **Fix-it ticket.** (a) The commissioner may issue a fix-it ticket if the applicant's or license holder's failure to comply with an applicable law or rule does not imminently endanger the health, safety, and rights of persons served by the program and satisfactory resolution can be achieved at the time of inspection or within two business days from the time of inspection. The fix-it ticket must state:

(1) the conditions that constitute a violation of the law or rule;

(2) the specific law or rule violated; and

(3) action required to correct each violation.

(b) To resolve a violation for which a fix-it ticket was issued, the applicant or license holder must submit proof of compliance within two business days to the licensing agency. A fix-it ticket must be posted for public record for 30 days and include the applicant's or license holder's corrective action to demonstrate compliance. If a violation is not resolved within two business days the fix-it ticket automatically results in a correction order. If a fix-it ticket results in a correction order, the applicant or license holder may request reconsideration of the correction order according to this section.

Sec. 3. **REPEALER.**

Minnesota Statutes 2016, section 245A.06, subdivision 8, is repealed.

APPENDIX
Repealed Minnesota Statutes: 17-2642

245A.06 CORRECTION ORDER AND CONDITIONAL LICENSE.

Subd. 8. **Requirement to post correction order.** For licensed family child care providers and child care centers, upon receipt of any correction order or order of conditional license issued by the commissioner under this section, and notwithstanding a pending request for reconsideration of the correction order or order of conditional license by the license holder, the license holder shall post the correction order or order of conditional license in a place that is conspicuous to the people receiving services and all visitors to the facility for two years. When the correction order or order of conditional license is accompanied by a maltreatment investigation memorandum prepared under section 626.556 or 626.557, the investigation memoranda must be posted with the correction order or order of conditional license.