

S.F. No. 1170, as introduced - 87th Legislative Session (2011-2012) [11-2604]

2.1 subdivision. ~~The conciliation conference shall be conducted in a manner consistent with~~
2.2 ~~the commissioner's instructions.~~

2.3 (b) If the county fails to conduct the ~~conciliation~~ conference and issue its report
2.4 within 30 days, or, at any time up to 90 days after the ~~conciliation~~ conference is held,
2.5 a recipient may submit to the commissioner a written request for a hearing before a
2.6 state human services referee to determine whether case management services have been
2.7 provided in accordance with applicable laws and rules or whether the county agency has
2.8 assured that the services identified in the recipient's individual service plan have been
2.9 delivered in accordance with the laws and rules governing the provision of those services.
2.10 The state human services referee shall recommend an order to the commissioner, who
2.11 shall, in accordance with the procedure in subdivision 5, issue a final order within 60 days
2.12 of the receipt of the request for a hearing, unless the commissioner refuses to accept the
2.13 recommended order, in which event a final order shall issue within 90 days of the receipt
2.14 of that request. The order may direct the county agency to take those actions necessary to
2.15 comply with applicable laws or rules. The commissioner may issue a temporary order
2.16 prohibiting the demission of a recipient of case management services from a residential
2.17 or day habilitation program licensed under chapter 245A, while a county agency review
2.18 process or an appeal brought by a recipient under this subdivision is pending, or for the
2.19 period of time necessary for the county agency to implement the commissioner's order.
2.20 The commissioner shall not issue a final order staying the demission of a recipient of
2.21 case management services from a residential or day habilitation program licensed under
2.22 chapter 245A.

2.23 (c) Any recipient of case management services under section 256B.0625 or
2.24 256B.092, or personal care assistance services under section 256B.0625, must be informed
2.25 in writing at the time of application and at the time of any change in services of the
2.26 recipient's right to submit a written request to the county agency for a conference with
2.27 the case manager and the county social service director.