

2960.0010 PURPOSE AND APPLICABILITY.

Subpart 1. **Purpose.** This chapter governs the licensing of providers of residential care and treatment or detention or foster care services for children in out-of-home placement. This chapter contains the licensing requirements for residential facilities and foster care and program certification requirements for program services offered in the licensed facilities.

The purpose of residential care is to provide temporary care or treatment for children in need of out-of-home care or treatment which is determined to meet the child's individual needs and is consistent with the timelines in Minnesota Statutes, sections 260C.503 to 260C.521, and 260C.204. The license holder must cooperate with and give support to the efforts of the placing agency regarding permanency planning for children in out-of-home placement.

Subp. 2. **Scope.** This chapter applies to any unit of government, individual, corporation, limited liability corporation, partnership, voluntary association, other organization or entity, or controlling individual that operates or applies to operate a facility that provides care, treatment, detention, or rehabilitation service on a 24-hour basis to a resident. Facilities excluded from licensure under Minnesota Statutes, section 245A.03, subdivision 2, are excluded from this chapter.

Subp. 3. **Exemptions from this chapter.**

A. Residential service sites for persons with developmental disabilities that are licensed by the commissioner of the Department of Human Services under Minnesota Statutes, chapter 245B, and by the commissioner of the Department of Health under Minnesota Statutes, chapter 144, are exempt from this chapter.

B. Transitional services programs and shelter care service programs are exempt from parts 2960.0130 to 2960.0220.

Subp. 4. **Exemption from parts 9543.1000 to 9543.1060.** Group residential facilities licensed or certified under parts 2960.0010 to 2960.0710 are exempt from parts 9543.1000 to 9543.1060.

Subp. 5. **Certification.** No entity may be granted a certificate or continue to be certified without a license. A license holder or applicant may seek certification to provide more than one program service.

Subp. 6. **Juvenile sex offender treatment programs.** Juvenile sex offender treatment programs are licensed under parts 2960.0010 to 2960.0220 and certified under parts 2955.0010 to 2955.0170.

Subp. 7. **Statutory authority.** This chapter is adopted according to Laws 1995, chapter 226, article 3, section 60, and Minnesota Statutes, sections 241.021 and 245A.09.

Statutory Authority: *L 1995 c 226 art 3 s 60; MS s 241.021; 245A.03; 245A.09*

History: *28 SR 211; L 2005 c 56 s 2; L 2012 c 216 art 6 s 13*

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