

**7048.1200 SANCTIONS.**

Subpart 1. **Criteria.** The agency commissioner shall refuse to issue, renew, or reinstate a certificate, suspend or revoke a certificate, or use any lesser remedy against an individual for any of the following reasons:

A. submission of false or misleading information or credentials in order to obtain or renew a certificate;

B. failure to meet the requirements for renewal certification; or

C. incompetency, negligence, or inappropriate conduct in the performance of operator or inspector duties.

Subp. 2. **Investigation.** Upon receiving a signed written complaint which alleges the existence of grounds for sanctions against a certified individual, the agency commissioner shall initiate an investigation. No revocation, suspension, or other sanction shall be imposed before notice is given to the certified individual and an opportunity for a contested case hearing is provided.

Subp. 3. **Procedures.** Procedures for contested case hearings shall comply with the provisions of the Administrative Procedures Act, Minnesota Statutes, chapter 14.

Subp. 4. **Returning certificate.** Upon revocation or suspension, certified individuals shall return to the agency their certificate and current renewal certificates.

Subp. 5. **Recertification.** An individual whose certificate has been revoked shall not be entitled to apply for recertification until at least one year following the effective date of revocation or for any longer period of time specified in the revocation order.

Subp. 6. **Reinstatement after suspension.** The agency commissioner shall reinstate a suspended certificate if the individual whose certificate has been suspended fulfills the terms of the suspension order and meets all applicable requirements of the rules for obtaining a certificate.

**Statutory Authority:** *MS s 116.41*

**History:** *L 1987 c 186 s 15*

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