

8840.5525 ISSUANCE AND EXPIRATION OF CERTIFICATE OF COMPLIANCE.

Subpart 1. **Processed in 30 days.** The commissioner shall process all applications and a certificate of compliance must be issued or denied in writing within 30 days of the receipt of the completed application and documentation required by the commissioner.

Subp. 2. **Issuance or denial of certificate.** The commissioner shall issue a certificate of compliance to an applicant who meets the requirements in parts 8840.5100 to 8840.6400, except the commissioner shall not issue a certificate of compliance if:

- A. the applicant had a certificate revoked during the preceding 180 days;
- B. the application for certification contains a statement that is false, misleading, or fraudulent;
- C. the applicant fails to provide all required or requested data; or
- D. the applicant or any person listed on the application is disqualified by the background study required in Minnesota Statutes, section 174.30, subdivision 10.

Subp. 3. **Contesting a denial.** To contest a denial of the issuance of a certificate, the provider shall follow the procedures in part 8840.6400.

Subp. 4. **Certificate denied, revoked, or canceled.** If a provider's certificate of compliance is denied, revoked, or canceled, and the provider wishes to reapply, the applicant must submit a new application under part 8840.5500. If a certificate is denied, revoked, or canceled for containing information that is false, misleading, or fraudulent, the provider is prohibited from reapplying for 180 days.

Subp. 5. **Term of certificate; good cause extension.** A certificate of compliance expires one year from the date it is issued and is renewable on an annual basis as provided for in part 8840.5500 and this part. The commissioner, for good cause, may extend the time before a certificate is canceled for up to an additional 30 days beyond expiration. "Good cause" means circumstances beyond control or circumstances that were not reasonably foreseeable, such as a serious physical or mental incapacity or illness.

Statutory Authority: *MS s 174.30*

History: *28 SR 1578; 48 SR 155*

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