

9545.0775 LICENSURE.

Subpart 1. **License required.** An agency that provides a service or performs an activity described in subpart 2 must be licensed under parts 9545.0755 to 9545.0845. In addition to other requirements, an individual, corporation, partnership, voluntary association, other organization, or controlling individual applying for a license to place children for adoption must comply with Minnesota Statutes, section 245A.04, subdivision 10.

Subp. 2. **Application for licensure.** Applicants must apply for a license on the forms and in the manner prescribed by the commissioner.

Subp. 3. **License option.** The form in subpart 2 must require an applicant to specify whether the applicant performs or intends to perform activities related both to foster care and adoption, only to foster care, or only to adoption. An applicant to perform adoption-related activities only must indicate how the agency will arrange for the licensed foster care needed while a child is being legally freed for adoption or while an adoptive placement for the child is being arranged.

Subp. 4. **Notice to commissioner.** An agency must send the commissioner written notice at least 30 days before the agency:

- A. moves from the location specified on the current application or license;
- B. opens a new office or other setting where records required by parts 9545.0755 to 9545.0845 are kept;
- C. proposes to increase its scope to include both foster care and adoption; or
- D. closes. The agency's notice of closing must specify the arrangements the agency has made for transfer of records and clients as required in part 9545.0845.

Subp. 5. **Commissioner's right of access.** Each site where an agency maintains offices or records is subject to the commissioner's inspection and right of access specified in Minnesota Statutes, section 245A.04, subdivision 5.

Subp. 6. **Single license for multiple locations.** When an applicant for licensure under parts 9545.0755 to 9545.0845 maintains offices or records at more than one site and there is at least one controlling individual responsible for all the sites, the commissioner shall issue one license.

Subp. 7. **Variations.** An applicant or license holder may request a variance to parts 9545.0755 to 9545.0845 as specified in Minnesota Statutes, section 245A.04, subdivision 9.

Statutory Authority: *MS s 14.386; 14.388; 245A.03; 317A.907*

History: *18 SR 1593; 30 SR 585*

Published Electronically: *December 29, 2005*