

150.18

ARTICLE 5

150.19

DEPARTMENT OF HUMAN SERVICES OFFICE OF INSPECTOR GENERAL

150.20 Section 1. Minnesota Statutes 2024, section 142E.51, subdivision 5, is amended to read:

150.21 Subd. 5. **Administrative disqualification of child care providers caring for children**
150.22 **receiving child care assistance.** (a) The department shall pursue an administrative
150.23 disqualification, if the child care provider is accused of committing an intentional program
150.24 violation, in lieu of a criminal action when it has not been pursued the department refers
150.25 the investigation to a law enforcement or prosecutorial agency for possible criminal
150.26 prosecution, and the law enforcement or prosecutorial agency does not pursue a criminal
150.27 action. Intentional program violations include intentionally making false or misleading
150.28 statements; intentionally offering, providing, soliciting, or receiving illegal remuneration
150.29 as described in subdivision 6a or in violation of section 609.542, subdivision 2; intentionally
150.30 misrepresenting, concealing, or withholding facts; and repeatedly and intentionally violating
150.31 program regulations under this chapter. No conviction is required before the department
151.1 pursues an administrative disqualification. Intent may be proven by demonstrating a pattern
151.2 of conduct that violates program rules under this chapter.

151.3 (b) To initiate an administrative disqualification, the commissioner must send written
151.4 notice using a signature-verified confirmed delivery method to the provider against whom
151.5 the action is being taken. Unless otherwise specified under this chapter or Minnesota Rules,
151.6 chapter 3400, the commissioner must send the written notice at least 15 calendar days before
151.7 the adverse action's effective date. The notice shall state (1) the factual basis for the agency's
151.8 determination, (2) the action the agency intends to take, (3) the dollar amount of the monetary
151.9 recovery or recoupment, if known, and (4) the provider's right to appeal the agency's proposed
151.10 action.

151.11 (c) The provider may appeal an administrative disqualification by submitting a written
151.12 request to the state agency. A provider's request must be received by the state agency no
151.13 later than 30 days after the date the commissioner mails the notice.

151.14 (d) The provider's appeal request must contain the following:

151.15 (1) each disputed item, the reason for the dispute, and, if applicable, an estimate of the
151.16 dollar amount involved for each disputed item;

151.17 (2) the computation the provider believes to be correct, if applicable;

151.18 (3) the statute or rule relied on for each disputed item; and

426.18

ARTICLE 15

426.19

DEPARTMENT OF HUMAN SERVICES OFFICE OF THE INSPECTOR GENERAL

426.20

POLICY

426.21 Section 1. Minnesota Statutes 2024, section 142E.51, subdivision 5, is amended to read:

426.22 Subd. 5. **Administrative disqualification of child care providers caring for children**
426.23 **receiving child care assistance.** (a) The department shall pursue an administrative
426.24 disqualification, if the child care provider is accused of committing an intentional program
426.25 violation, in lieu of a criminal action when it has not been pursued. Intentional program
426.26 violations include intentionally making false or misleading statements; receiving or providing
426.27 a kickback, as defined in subdivision 6, paragraph (b); intentionally misrepresenting,
426.28 concealing, or withholding facts; and repeatedly and intentionally violating program
426.29 regulations under this chapter. Intent may be proven by demonstrating a pattern of conduct
426.30 that violates program rules under this chapter.

426.31 (b) To initiate an administrative disqualification, the commissioner must send written
426.32 notice using a signature-verified confirmed delivery method to the provider against whom
426.33 the action is being taken. Unless otherwise specified under this chapter or Minnesota Rules,
426.34 chapter 3400, the commissioner must send the written notice at least 15 calendar days before
427.1 the adverse action's effective date. The notice shall state (1) the factual basis for the agency's
427.2 determination, (2) the action the agency intends to take, (3) the dollar amount of the monetary
427.3 recovery or recoupment, if known, and (4) the provider's right to appeal the agency's proposed
427.4 action.

427.5 (c) The provider may appeal an administrative disqualification by submitting a written
427.6 request to the state agency. A provider's request must be received by the state agency no
427.7 later than 30 days after the date the commissioner mails the notice.

427.8 (d) The provider's appeal request must contain the following:

427.9 (1) each disputed item, the reason for the dispute, and, if applicable, an estimate of the
427.10 dollar amount involved for each disputed item;

427.11 (2) the computation the provider believes to be correct, if applicable;

427.12 (3) the statute or rule relied on for each disputed item; and

151.19 (4) the name, address, and telephone number of the person at the provider's place of
151.20 business with whom contact may be made regarding the appeal.

151.21 (e) On appeal, the issuing agency bears the burden of proof to demonstrate by a
151.22 preponderance of the evidence that the provider committed an intentional program violation.

151.23 (f) The hearing is subject to the requirements of section 142A.20. The human services
151.24 judge may combine a fair hearing and administrative disqualification hearing into a single
151.25 hearing if the factual issues arise out of the same or related circumstances and the provider
151.26 receives prior notice that the hearings will be combined.

151.27 (g) A provider found to have committed an intentional program violation and is
151.28 administratively disqualified must be disqualified, for a period of three years for the first
151.29 offense and permanently for any subsequent offense, from receiving any payments from
151.30 any child care program under this chapter.

151.31 (h) Unless a timely and proper appeal made under this section is received by the
151.32 department, the administrative determination of the department is final and binding.

152.1 Sec. 2. Minnesota Statutes 2024, section 142E.51, subdivision 6, is amended to read:

152.2 Subd. 6. **Prohibited hiring practice practices.** ~~It is prohibited to~~ A person must not
152.3 hire a child care center employee when, as a condition of employment, the employee is
152.4 required to have one or more children who are eligible for or receive child care assistance,
152.5 if:

152.6 (1) the individual hiring the employee is, or is acting at the direction of or in cooperation
152.7 with, a child care center provider, center owner, director, manager, license holder, or other
152.8 controlling individual; and

152.9 (2) the individual hiring the employee knows or has reason to know the purpose in hiring
152.10 the employee is to obtain child care assistance program funds.

152.11 Sec. 3. Minnesota Statutes 2024, section 142E.51, is amended by adding a subdivision to
152.12 read:

152.13 Subd. 6a. **Illegal remuneration.** (a) Except as provided in paragraph (b), program
152.14 applicants, participants, and providers must not offer, provide, solicit, or receive money, a
152.15 discount, a credit, a waiver, a rebate, a good, a service, employment, or anything else of
152.16 value in exchange for:

152.17 (1) obtaining or attempting to obtain child care assistance program benefits; or

152.18 (2) directing a person's child care assistance program benefits to a particular provider.

152.19 (b) The prohibition in paragraph (a) does not apply to:

427.13 (4) the name, address, and telephone number of the person at the provider's place of
427.14 business with whom contact may be made regarding the appeal.

427.15 (e) On appeal, the issuing agency bears the burden of proof to demonstrate by a
427.16 preponderance of the evidence that the provider committed an intentional program violation.

427.17 (f) The hearing is subject to the requirements of section 142A.20. The human services
427.18 judge may combine a fair hearing and administrative disqualification hearing into a single
427.19 hearing if the factual issues arise out of the same or related circumstances and the provider
427.20 receives prior notice that the hearings will be combined.

427.21 (g) A provider found to have committed an intentional program violation and is
427.22 administratively disqualified must be disqualified, for a period of three years for the first
427.23 offense and permanently for any subsequent offense, from receiving any payments from
427.24 any child care program under this chapter.

427.25 (h) Unless a timely and proper appeal made under this section is received by the
427.26 department, the administrative determination of the department is final and binding.

427.27 Sec. 2. Minnesota Statutes 2024, section 142E.51, subdivision 6, is amended to read:

427.28 Subd. 6. **Prohibited hiring practice practices.** (a) It is prohibited to hire a child care
427.29 center employee when, as a condition of employment, the employee is required to have one
427.30 or more children who are eligible for or receive child care assistance, if:

428.1 (1) the individual hiring the employee is, or is acting at the direction of or in cooperation
428.2 with, a child care center provider, center owner, director, manager, license holder, or other
428.3 controlling individual; and

428.4 (2) the individual hiring the employee knows or has reason to know the purpose in hiring
428.5 the employee is to obtain child care assistance program funds.

428.6 (b) Program applicants, participants, and providers are prohibited from receiving or
428.7 providing a kickback or payment in exchange for obtaining or attempting to obtain child
428.8 care assistance benefits for their own financial gain. This paragraph does not apply to:

152.20 (1) marketing or promotional offerings that directly benefit an applicant or recipient's
152.21 child or dependent for whom the child care provider is providing child care services; or

152.22 (2) child care provider discounts, scholarships, or other financial assistance allowed
152.23 under section 142E.17, subdivision 7.

152.24 (c) An attempt to buy or sell access to a family's child care assistance program benefits
152.25 to an unauthorized person by an applicant, a participant, or a provider is an intentional
152.26 program violation under subdivision 5 and wrongfully obtaining assistance under section
152.27 256.98.

152.28 Sec. 4. Minnesota Statutes 2024, section 144.651, subdivision 2, is amended to read:

152.29 Subd. 2. **Definitions.** For the purposes of this section, "patient" means a person who is
152.30 admitted to an acute care inpatient facility for a continuous period longer than 24 hours, for
152.31 the purpose of diagnosis or treatment bearing on the physical or mental health of that person.
153.1 For purposes of subdivisions 4 to 9, 12, 13, 15, 16, and 18 to 20, "patient" also means a
153.2 person who receives health care services at an outpatient surgical center or at a birth center
153.3 licensed under section 144.615. "Patient" also means a ~~minor~~ person who is admitted to a
153.4 residential program as defined in section 253C.01. "Patient" also means a person who is
153.5 admitted to a residential substance use disorder treatment program licensed according to
153.6 Minnesota Rules, parts 2960.0430 to 2960.0490. For purposes of subdivisions 1, 3 to 16,
153.7 18, 20 and 30, "patient" also means any person who is receiving mental health treatment or
153.8 substance use disorder treatment on an outpatient basis or in a community support program
153.9 or other community-based program. "Resident" means a person who is admitted to a nonacute
153.10 care facility including extended care facilities, nursing homes, and boarding care homes for
153.11 care required because of prolonged mental or physical illness or disability, recovery from
153.12 injury or disease, or advancing age. For purposes of all subdivisions except subdivisions
153.13 28 and 29, "resident" also means a person who is admitted to a facility licensed as a board
153.14 and lodging facility under Minnesota Rules, parts 4625.0100 to 4625.2355, a boarding care
153.15 home under sections 144.50 to 144.56, or a supervised living facility under Minnesota Rules,
153.16 parts 4665.0100 to 4665.9900, and ~~which that operates a rehabilitation withdrawal~~
153.17 ~~management program licensed under chapter 245F, a residential substance use disorder~~
153.18 ~~treatment program licensed under chapter 245G or, an intensive residential treatment services~~
153.19 ~~or residential crisis stabilization program licensed under chapter 245I, or a detoxification~~
153.20 ~~program licensed under Minnesota Rules, parts 9530.6510 to 9530.6590.~~

153.21 Sec. 5. Minnesota Statutes 2024, section 245A.04, subdivision 1, is amended to read:

153.22 Subdivision 1. **Application for licensure.** (a) An individual, organization, or government
153.23 entity that is subject to licensure under section 245A.03 must apply for a license. The
153.24 application must be made on the forms and in the manner prescribed by the commissioner.
153.25 The commissioner shall provide the applicant with instruction in completing the application
153.26 and provide information about the rules and requirements of other state agencies that affect
153.27 the applicant. An applicant seeking licensure in Minnesota with headquarters outside of
153.28 Minnesota must have a program office located within 30 miles of the Minnesota border.

428.9 (1) marketing or promotional offerings that directly benefit an applicant or recipient's
428.10 child or dependent for whom the child care provider is providing child care services; or

428.11 (2) child care provider discounts, scholarships, or other financial assistance allowed
428.12 under section 142E.17, subdivision 7.

428.13 (c) An attempt to buy or sell access to a family's child care subsidy benefits to an
428.14 unauthorized person by an applicant, a participant, or a provider is a kickback, an intentional
428.15 program violation under subdivision 5, and wrongfully obtaining assistance under section
428.16 256.98.

428.17 Sec. 3. Minnesota Statutes 2024, section 245A.04, subdivision 1, is amended to read:

428.18 Subdivision 1. **Application for licensure.** (a) An individual, organization, or government
428.19 entity that is subject to licensure under section 245A.03 must apply for a license. The
428.20 application must be made on the forms and in the manner prescribed by the commissioner.
428.21 The commissioner shall provide the applicant with instruction in completing the application
428.22 and provide information about the rules and requirements of other state agencies that affect
428.23 the applicant. An applicant seeking licensure in Minnesota with headquarters outside of
428.24 Minnesota must have a program office located within 30 miles of the Minnesota border.

153.29 An applicant who intends to buy or otherwise acquire a program or services licensed under
153.30 this chapter that is owned by another license holder must apply for a license under this
153.31 chapter and comply with the application procedures in this section and section 245A.043.

153.32 The commissioner shall act on the application within 90 working days after a complete
153.33 application and any required reports have been received from other state agencies or
153.34 departments, counties, municipalities, or other political subdivisions. The commissioner
154.1 shall not consider an application to be complete until the commissioner receives all of the
154.2 required information.

154.3 When the commissioner receives an application for initial licensure that is incomplete
154.4 because the applicant failed to submit required documents or that is substantially deficient
154.5 because the documents submitted do not meet licensing requirements, the commissioner
154.6 shall provide the applicant written notice that the application is incomplete or substantially
154.7 deficient. In the written notice to the applicant the commissioner shall identify documents
154.8 that are missing or deficient and give the applicant 45 days to resubmit a second application
154.9 that is substantially complete. An applicant's failure to submit a substantially complete
154.10 application after receiving notice from the commissioner is a basis for license denial under
154.11 section 245A.043.

154.12 (b) An application for licensure must identify all controlling individuals as defined in
154.13 section 245A.02, subdivision 5a, and must designate one individual to be the authorized
154.14 agent. The application must be signed by the authorized agent and must include the authorized
154.15 agent's first, middle, and last name; mailing address; and email address. By submitting an
154.16 application for licensure, the authorized agent consents to electronic communication with
154.17 the commissioner throughout the application process. The authorized agent must be
154.18 authorized to accept service on behalf of all of the controlling individuals. A government
154.19 entity that holds multiple licenses under this chapter may designate one authorized agent
154.20 for all licenses issued under this chapter or may designate a different authorized agent for
154.21 each license. Service on the authorized agent is service on all of the controlling individuals.
154.22 It is not a defense to any action arising under this chapter that service was not made on each
154.23 controlling individual. The designation of a controlling individual as the authorized agent
154.24 under this paragraph does not affect the legal responsibility of any other controlling individual
154.25 under this chapter.

154.26 (c) An applicant or license holder must have a policy that prohibits license holders,
154.27 employees, subcontractors, and volunteers, when directly responsible for persons served
154.28 by the program, from abusing prescription medication or being in any manner under the
154.29 influence of a chemical that impairs the individual's ability to provide services or care. The
154.30 license holder must train employees, subcontractors, and volunteers about the program's
154.31 drug and alcohol policy before the employee, subcontractor, or volunteer has direct contact,
154.32 as defined in section 245C.02, subdivision 11, with a person served by the program.

154.33 (d) An applicant and license holder must have a program grievance procedure that permits
154.34 persons served by the program and their authorized representatives to bring a grievance to
154.35 the highest level of authority in the program.

428.25 An applicant who intends to buy or otherwise acquire a program or services licensed under
428.26 this chapter that is owned by another license holder must apply for a license under this
428.27 chapter and comply with the application procedures in this section and section 245A.043.

428.28 The commissioner shall act on the application within 90 working days after a complete
428.29 application and any required reports have been received from other state agencies or
428.30 departments, counties, municipalities, or other political subdivisions. The commissioner
428.31 shall not consider an application to be complete until the commissioner receives all of the
428.32 required information.

429.1 When the commissioner receives an application for initial licensure that is incomplete
429.2 because the applicant failed to submit required documents or that is substantially deficient
429.3 because the documents submitted do not meet licensing requirements, the commissioner
429.4 shall provide the applicant written notice that the application is incomplete or substantially
429.5 deficient. In the written notice to the applicant the commissioner shall identify documents
429.6 that are missing or deficient and give the applicant 45 days to resubmit a second application
429.7 that is substantially complete. An applicant's failure to submit a substantially complete
429.8 application after receiving notice from the commissioner is a basis for license denial under
429.9 section 245A.043.

429.10 (b) An application for licensure must identify all controlling individuals as defined in
429.11 section 245A.02, subdivision 5a, and must designate one individual to be the authorized
429.12 agent. The application must be signed by the authorized agent and must include the authorized
429.13 agent's first, middle, and last name; mailing address; and email address. By submitting an
429.14 application for licensure, the authorized agent consents to electronic communication with
429.15 the commissioner throughout the application process. The authorized agent must be
429.16 authorized to accept service on behalf of all of the controlling individuals. A government
429.17 entity that holds multiple licenses under this chapter may designate one authorized agent
429.18 for all licenses issued under this chapter or may designate a different authorized agent for
429.19 each license. Service on the authorized agent is service on all of the controlling individuals.
429.20 It is not a defense to any action arising under this chapter that service was not made on each
429.21 controlling individual. The designation of a controlling individual as the authorized agent
429.22 under this paragraph does not affect the legal responsibility of any other controlling individual
429.23 under this chapter.

429.24 (c) An applicant or license holder must have a policy that prohibits license holders,
429.25 employees, subcontractors, and volunteers, when directly responsible for persons served
429.26 by the program, from abusing prescription medication or being in any manner under the
429.27 influence of a chemical that impairs the individual's ability to provide services or care. The
429.28 license holder must train employees, subcontractors, and volunteers about the program's
429.29 drug and alcohol policy before the employee, subcontractor, or volunteer has direct contact,
429.30 as defined in section 245C.02, subdivision 11, with a person served by the program.

429.31 (d) An applicant and license holder must have a program grievance procedure that permits
429.32 persons served by the program and their authorized representatives to bring a grievance to
429.33 the highest level of authority in the program.

155.1 (e) The commissioner may limit communication during the application process to the
155.2 authorized agent or the controlling individuals identified on the license application and for
155.3 whom a background study was initiated under chapter 245C. Upon implementation of the
155.4 provider licensing and reporting hub, applicants and license holders must use the hub in the
155.5 manner prescribed by the commissioner. The commissioner may require the applicant,
155.6 except for child foster care, to demonstrate competence in the applicable licensing
155.7 requirements by successfully completing a written examination. The commissioner may
155.8 develop a prescribed written examination format.

155.9 (f) When an applicant is an individual, the applicant must provide:

155.10 (1) the applicant's taxpayer identification numbers including the Social Security number
155.11 or Minnesota tax identification number, and federal employer identification number if the
155.12 applicant has employees;

155.13 (2) at the request of the commissioner, a copy of the most recent filing with the secretary
155.14 of state that includes the complete business name, if any;

155.15 (3) if doing business under a different name, the doing business as (DBA) name, as
155.16 registered with the secretary of state;

155.17 (4) if applicable, the applicant's National Provider Identifier (NPI) number and Unique
155.18 Minnesota Provider Identifier (UMPI) number; and

155.19 (5) at the request of the commissioner, the notarized signature of the applicant or
155.20 authorized agent.

155.21 (g) When an applicant is an organization, the applicant must provide:

155.22 (1) the applicant's taxpayer identification numbers including the Minnesota tax
155.23 identification number and federal employer identification number;

155.24 (2) at the request of the commissioner, a copy of the most recent filing with the secretary
155.25 of state that includes the complete business name, and if doing business under a different
155.26 name, the doing business as (DBA) name, as registered with the secretary of state;

155.27 (3) the first, middle, and last name, and address for all individuals who will be controlling
155.28 individuals, including all officers, owners, and managerial officials as defined in section
155.29 245A.02, subdivision 5a, and the date that the background study was initiated by the applicant
155.30 for each controlling individual;

155.31 (4) if applicable, the applicant's NPI number and UMPI number;

156.1 (5) the documents that created the organization and that determine the organization's
156.2 internal governance and the relations among the persons that own the organization, have
156.3 an interest in the organization, or are members of the organization, in each case as provided
156.4 or authorized by the organization's governing statute, which may include a partnership

429.34 (e) The commissioner may limit communication during the application process to the
429.35 authorized agent or the controlling individuals identified on the license application and for
430.1 whom a background study was initiated under chapter 245C. Upon implementation of the
430.2 provider licensing and reporting hub, applicants and license holders must use the hub in the
430.3 manner prescribed by the commissioner. The commissioner may require the applicant,
430.4 except for child foster care, to demonstrate competence in the applicable licensing
430.5 requirements by successfully completing a written examination. The commissioner may
430.6 develop a prescribed written examination format.

430.7 (f) When an applicant is an individual, the applicant must provide:

430.8 (1) the applicant's taxpayer identification numbers including the Social Security number
430.9 or Minnesota tax identification number, and federal employer identification number if the
430.10 applicant has employees;

430.11 (2) at the request of the commissioner, a copy of the most recent filing with the secretary
430.12 of state that includes the complete business name, if any;

430.13 (3) if doing business under a different name, the doing business as (DBA) name, as
430.14 registered with the secretary of state;

430.15 (4) if applicable, the applicant's National Provider Identifier (NPI) number and Unique
430.16 Minnesota Provider Identifier (UMPI) number; and

430.17 (5) at the request of the commissioner, the notarized signature of the applicant or
430.18 authorized agent.

430.19 (g) When an applicant is an organization, the applicant must provide:

430.20 (1) the applicant's taxpayer identification numbers including the Minnesota tax
430.21 identification number and federal employer identification number;

430.22 (2) at the request of the commissioner, a copy of the most recent filing with the secretary
430.23 of state that includes the complete business name, and if doing business under a different
430.24 name, the doing business as (DBA) name, as registered with the secretary of state;

430.25 (3) the first, middle, and last name, and address for all individuals who will be controlling
430.26 individuals, including all officers, owners, and managerial officials as defined in section
430.27 245A.02, subdivision 5a, and the date that the background study was initiated by the applicant
430.28 for each controlling individual;

430.29 (4) if applicable, the applicant's NPI number and UMPI number;

430.30 (5) the documents that created the organization and that determine the organization's
430.31 internal governance and the relations among the persons that own the organization, have
430.32 an interest in the organization, or are members of the organization, in each case as provided
431.1 or authorized by the organization's governing statute, which may include a partnership

156.5 agreement, bylaws, articles of organization, organizational chart, and operating agreement,
156.6 or comparable documents as provided in the organization's governing statute; and

156.7 (6) the notarized signature of the applicant or authorized agent.

156.8 (h) When the applicant is a government entity, the applicant must provide:

156.9 (1) the name of the government agency, political subdivision, or other unit of government
156.10 seeking the license and the name of the program or services that will be licensed;

156.11 (2) the applicant's taxpayer identification numbers including the Minnesota tax
156.12 identification number and federal employer identification number;

156.13 (3) a letter signed by the manager, administrator, or other executive of the government
156.14 entity authorizing the submission of the license application; and

156.15 (4) if applicable, the applicant's NPI number and UMPI number.

156.16 (i) At the time of application for licensure or renewal of a license under this chapter, the
156.17 applicant or license holder must acknowledge on the form provided by the commissioner
156.18 if the applicant or license holder elects to receive any public funding reimbursement from
156.19 the commissioner for services provided under the license that:

156.20 (1) the applicant's or license holder's compliance with the provider enrollment agreement
156.21 or registration requirements for receipt of public funding may be monitored by the
156.22 commissioner as part of a licensing investigation or licensing inspection; and

156.23 (2) noncompliance with the provider enrollment agreement or registration requirements
156.24 for receipt of public funding that is identified through a licensing investigation or licensing
156.25 inspection, or noncompliance with a licensing requirement that is a basis of enrollment for
156.26 reimbursement for a service, may result in:

156.27 (i) a correction order or a conditional license under section 245A.06, or sanctions under
156.28 section 245A.07;

156.29 (ii) nonpayment of claims submitted by the license holder for public program
156.30 reimbursement;

156.31 (iii) recovery of payments made for the service;

156.32 (iv) disenrollment in the public payment program; or

157.1 (v) other administrative, civil, or criminal penalties as provided by law.

157.2 Sec. 6. Minnesota Statutes 2024, section 245A.04, subdivision 7, is amended to read:

157.3 Subd. 7. **Grant of license; license extension.** (a) If the commissioner determines that
157.4 the program complies with all applicable rules and laws, the commissioner shall issue a
157.5 license consistent with this section or, if applicable, a temporary change of ownership license
157.6 under section 245A.043. At minimum, the license shall state:

431.2 agreement, bylaws, articles of organization, organizational chart, and operating agreement,
431.3 or comparable documents as provided in the organization's governing statute; and

431.4 (6) the notarized signature of the applicant or authorized agent.

431.5 (h) When the applicant is a government entity, the applicant must provide:

431.6 (1) the name of the government agency, political subdivision, or other unit of government
431.7 seeking the license and the name of the program or services that will be licensed;

431.8 (2) the applicant's taxpayer identification numbers including the Minnesota tax
431.9 identification number and federal employer identification number;

431.10 (3) a letter signed by the manager, administrator, or other executive of the government
431.11 entity authorizing the submission of the license application; and

431.12 (4) if applicable, the applicant's NPI number and UMPI number.

431.13 (i) At the time of application for licensure or renewal of a license under this chapter, the
431.14 applicant or license holder must acknowledge on the form provided by the commissioner
431.15 if the applicant or license holder elects to receive any public funding reimbursement from
431.16 the commissioner for services provided under the license that:

431.17 (1) the applicant's or license holder's compliance with the provider enrollment agreement
431.18 or registration requirements for receipt of public funding may be monitored by the
431.19 commissioner as part of a licensing investigation or licensing inspection; and

431.20 (2) noncompliance with the provider enrollment agreement or registration requirements
431.21 for receipt of public funding that is identified through a licensing investigation or licensing
431.22 inspection, or noncompliance with a licensing requirement that is a basis of enrollment for
431.23 reimbursement for a service, may result in:

431.24 (i) a correction order or a conditional license under section 245A.06, or sanctions under
431.25 section 245A.07;

431.26 (ii) nonpayment of claims submitted by the license holder for public program
431.27 reimbursement;

431.28 (iii) recovery of payments made for the service;

431.29 (iv) disenrollment in the public payment program; or

431.30 (v) other administrative, civil, or criminal penalties as provided by law.

432.1 Sec. 4. Minnesota Statutes 2024, section 245A.04, subdivision 7, is amended to read:

432.2 Subd. 7. **Grant of license; license extension.** (a) If the commissioner determines that
432.3 the program complies with all applicable rules and laws, the commissioner shall issue a
432.4 license consistent with this section or, if applicable, a temporary change of ownership license
432.5 under section 245A.043. At minimum, the license shall state:

157.7 (1) the name of the license holder;
157.8 (2) the address of the program;
157.9 (3) the effective date and expiration date of the license;
157.10 (4) the type of license;
157.11 (5) the maximum number and ages of persons that may receive services from the program;
157.12 and
157.13 (6) any special conditions of licensure.
157.14 (b) The commissioner may issue a license for a period not to exceed two years if:
157.15 (1) the commissioner is unable to conduct the observation required by subdivision 4,
157.16 paragraph (a), clause (3), because the program is not yet operational;
157.17 (2) certain records and documents are not available because persons are not yet receiving
157.18 services from the program; and
157.19 (3) the applicant complies with applicable laws and rules in all other respects.
157.20 (c) A decision by the commissioner to issue a license does not guarantee that any person
157.21 or persons will be placed or cared for in the licensed program.
157.22 (d) Except as provided in paragraphs (i) and (j), the commissioner shall not issue a
157.23 license if the applicant, license holder, or an affiliated controlling individual has:
157.24 (1) been disqualified and the disqualification was not set aside and no variance has been
157.25 granted;
157.26 (2) been denied a license under this chapter or chapter 142B within the past two years;
157.27 (3) had a license issued under this chapter or chapter 142B revoked within the past five
157.28 years; or
157.29 (4) failed to submit the information required of an applicant under subdivision 1,
157.30 paragraph (f), (g), or (h), after being requested by the commissioner.
158.1 When a license issued under this chapter or chapter 142B is revoked, the license holder
158.2 and each affiliated controlling individual with a revoked license may not hold any license
158.3 under chapter 245A for five years following the revocation, and other licenses held by the
158.4 applicant or license holder or licenses affiliated with each controlling individual shall also
158.5 be revoked.
158.6 (e) Notwithstanding paragraph (d), the commissioner may elect not to revoke a license
158.7 affiliated with a license holder or controlling individual that had a license revoked within
158.8 the past five years if the commissioner determines that (1) the license holder or controlling
158.9 individual is operating the program in substantial compliance with applicable laws and rules

432.6 (1) the name of the license holder;
432.7 (2) the address of the program;
432.8 (3) the effective date and expiration date of the license;
432.9 (4) the type of license;
432.10 (5) the maximum number and ages of persons that may receive services from the program;
432.11 and
432.12 (6) any special conditions of licensure.
432.13 (b) The commissioner may issue a license for a period not to exceed two years if:
432.14 (1) the commissioner is unable to conduct the observation required by subdivision 4,
432.15 paragraph (a), clause (3), because the program is not yet operational;
432.16 (2) certain records and documents are not available because persons are not yet receiving
432.17 services from the program; and
432.18 (3) the applicant complies with applicable laws and rules in all other respects.
432.19 (c) A decision by the commissioner to issue a license does not guarantee that any person
432.20 or persons will be placed or cared for in the licensed program.
432.21 (d) Except as provided in paragraphs (i) and (j), the commissioner shall not issue a
432.22 license if the applicant, license holder, or an affiliated controlling individual has:
432.23 (1) been disqualified and the disqualification was not set aside and no variance has been
432.24 granted;
432.25 (2) been denied a license under this chapter or chapter 142B within the past two years;
432.26 (3) had a license issued under this chapter or chapter 142B revoked within the past five
432.27 years; or
432.28 (4) failed to submit the information required of an applicant under subdivision 1,
432.29 paragraph (f), (g), or (h), after being requested by the commissioner.
433.1 When a license issued under this chapter or chapter 142B is revoked, the license holder
433.2 and each affiliated controlling individual with a revoked license may not hold any license
433.3 under chapter 245A for five years following the revocation, and other licenses held by the
433.4 applicant or license holder or licenses affiliated with each controlling individual shall also
433.5 be revoked.
433.6 (e) Notwithstanding paragraph (d), the commissioner may elect not to revoke a license
433.7 affiliated with a license holder or controlling individual that had a license revoked within
433.8 the past five years if the commissioner determines that (1) the license holder or controlling
433.9 individual is operating the program in substantial compliance with applicable laws and rules

158.10 and (2) the program's continued operation is in the best interests of the community being
158.11 served.

158.12 (f) Notwithstanding paragraph (d), the commissioner may issue a new license in response
158.13 to an application that is affiliated with an applicant, license holder, or controlling individual
158.14 that had an application denied within the past two years or a license revoked within the past
158.15 five years if the commissioner determines that (1) the applicant or controlling individual
158.16 has operated one or more programs in substantial compliance with applicable laws and rules
158.17 and (2) the program's operation would be in the best interests of the community to be served.

158.18 (g) In determining whether a program's operation would be in the best interests of the
158.19 community to be served, the commissioner shall consider factors such as the number of
158.20 persons served, the availability of alternative services available in the surrounding
158.21 community, the management structure of the program, whether the program provides
158.22 culturally specific services, and other relevant factors.

158.23 (h) The commissioner shall not issue or reissue a license under this chapter if an individual
158.24 living in the household where the services will be provided as specified under section
158.25 245C.03, subdivision 1, has been disqualified and the disqualification has not been set aside
158.26 and no variance has been granted.

158.27 (i) Pursuant to section 245A.07, subdivision 1, paragraph (b), when a license issued
158.28 under this chapter has been suspended or revoked and the suspension or revocation is under
158.29 appeal, the program may continue to operate pending a final order from the commissioner.
158.30 If the license under suspension or revocation will expire before a final order is issued, a
158.31 temporary provisional license may be issued provided any applicable license fee is paid
158.32 before the temporary provisional license is issued.

158.33 (j) Notwithstanding paragraph (i), when a revocation is based on the disqualification of
158.34 a controlling individual or license holder, and the controlling individual or license holder
159.1 is ordered under section 245C.17 to be immediately removed from direct contact with
159.2 persons receiving services or is ordered to be under continuous, direct supervision when
159.3 providing direct contact services, the program may continue to operate only if the program
159.4 complies with the order and submits documentation demonstrating compliance with the
159.5 order. If the disqualified individual fails to submit a timely request for reconsideration, or
159.6 if the disqualification is not set aside and no variance is granted, the order to immediately
159.7 remove the individual from direct contact or to be under continuous, direct supervision
159.8 remains in effect pending the outcome of a hearing and final order from the commissioner.

159.9 (k) Unless otherwise specified by statute, all licenses issued under this chapter expire
159.10 at 12:01 a.m. on the day after the expiration date stated on the license. A license holder must
159.11 apply for and be granted comply with the requirements in section 245A.10 and be reissued
159.12 a new license to operate the program or the program must not be operated after the expiration
159.13 date. Adult foster care, family adult day services, child foster residence setting, and
159.14 community residential services license holders must apply for and be granted a new license
159.15 to operate the program or the program must not be operated after the expiration date. Upon

433.10 and (2) the program's continued operation is in the best interests of the community being
433.11 served.

433.12 (f) Notwithstanding paragraph (d), the commissioner may issue a new license in response
433.13 to an application that is affiliated with an applicant, license holder, or controlling individual
433.14 that had an application denied within the past two years or a license revoked within the past
433.15 five years if the commissioner determines that (1) the applicant or controlling individual
433.16 has operated one or more programs in substantial compliance with applicable laws and rules
433.17 and (2) the program's operation would be in the best interests of the community to be served.

433.18 (g) In determining whether a program's operation would be in the best interests of the
433.19 community to be served, the commissioner shall consider factors such as the number of
433.20 persons served, the availability of alternative services available in the surrounding
433.21 community, the management structure of the program, whether the program provides
433.22 culturally specific services, and other relevant factors.

433.23 (h) The commissioner shall not issue or reissue a license under this chapter if an individual
433.24 living in the household where the services will be provided as specified under section
433.25 245C.03, subdivision 1, has been disqualified and the disqualification has not been set aside
433.26 and no variance has been granted.

433.27 (i) Pursuant to section 245A.07, subdivision 1, paragraph (b), when a license issued
433.28 under this chapter has been suspended or revoked and the suspension or revocation is under
433.29 appeal, the program may continue to operate pending a final order from the commissioner.
433.30 If the license under suspension or revocation will expire before a final order is issued, a
433.31 temporary provisional license may be issued provided any applicable license fee is paid
433.32 before the temporary provisional license is issued.

433.33 (j) Notwithstanding paragraph (i), when a revocation is based on the disqualification of
433.34 a controlling individual or license holder, and the controlling individual or license holder
434.1 is ordered under section 245C.17 to be immediately removed from direct contact with
434.2 persons receiving services or is ordered to be under continuous, direct supervision when
434.3 providing direct contact services, the program may continue to operate only if the program
434.4 complies with the order and submits documentation demonstrating compliance with the
434.5 order. If the disqualified individual fails to submit a timely request for reconsideration, or
434.6 if the disqualification is not set aside and no variance is granted, the order to immediately
434.7 remove the individual from direct contact or to be under continuous, direct supervision
434.8 remains in effect pending the outcome of a hearing and final order from the commissioner.

434.9 (k) Unless otherwise specified by statute, all licenses issued under this chapter expire
434.10 at 12:01 a.m. on the day after the expiration date stated on the license. A license holder must
434.11 apply for and be granted comply with the requirements in section 245A.10 and be reissued
434.12 a new license to operate the program or the program must not be operated after the expiration
434.13 date. Adult foster care, family adult day services, child foster residence setting, and
434.14 community residential services license holders must apply for and be granted a new license
434.15 to operate the program or the program must not be operated after the expiration date. Upon

159.16 implementation of the provider licensing and reporting hub, licenses may be issued each
159.17 calendar year.

159.18 (l) The commissioner shall not issue or reissue a license under this chapter if it has been
159.19 determined that a Tribal licensing authority has established jurisdiction to license the program
159.20 or service.

159.21 (m) The commissioner of human services may coordinate and share data with the
159.22 commissioner of children, youth, and families to enforce this section.

159.23 Sec. 7. Minnesota Statutes 2024, section 245A.16, subdivision 1, is amended to read:

159.24 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies that have been
159.25 designated by the commissioner to perform licensing functions and activities under section
159.26 245A.04; to recommend denial of applicants under section 245A.05; to issue correction
159.27 orders, to issue variances, and recommend a conditional license under section 245A.06; or
159.28 to recommend suspending or revoking a license or issuing a fine under section 245A.07,
159.29 shall comply with rules and directives of the commissioner governing those functions and
159.30 with this section. The following variances are excluded from the delegation of variance
159.31 authority and may be issued only by the commissioner:

159.32 (1) dual licensure of child foster residence setting and community residential setting;

160.1 (2) until the responsibility for family child foster care transfers to the commissioner of
160.2 children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual
160.3 licensure of family child foster care and family adult foster care;

160.4 (3) until the responsibility for family child care transfers to the commissioner of children,
160.5 youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of
160.6 family adult foster care and family child care;

160.7 (4) adult foster care or community residential setting maximum capacity;

160.8 (5) adult foster care or community residential setting minimum age requirement;

160.9 (6) child foster care maximum age requirement;

160.10 (7) variances regarding disqualified individuals;

160.11 (8) the required presence of a caregiver in the adult foster care residence during normal
160.12 sleeping hours;

160.13 (9) variances to requirements relating to chemical use problems of a license holder or a
160.14 household member of a license holder; and

160.15 (10) variances to section 142B.46 for the use of a cradleboard for a cultural
160.16 accommodation.

160.17 (b) Once the respective responsibilities transfer from the commissioner of human services
160.18 to the commissioner of children, youth, and families, under Laws 2023, chapter 70, article

434.16 implementation of the provider licensing and reporting hub, licenses may be issued each
434.17 calendar year.

434.18 (l) The commissioner shall not issue or reissue a license under this chapter if it has been
434.19 determined that a Tribal licensing authority has established jurisdiction to license the program
434.20 or service.

434.21 (m) The commissioner of human services may coordinate and share data with the
434.22 commissioner of children, youth, and families to enforce this section.

434.23 Sec. 5. Minnesota Statutes 2024, section 245A.16, subdivision 1, is amended to read:

434.24 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies that have been
434.25 designated by the commissioner to perform licensing functions and activities under section
434.26 245A.04; to recommend denial of applicants under section 245A.05; to issue correction
434.27 orders, to issue variances, and recommend a conditional license under section 245A.06; or
434.28 to recommend suspending or revoking a license or issuing a fine under section 245A.07,
434.29 shall comply with rules and directives of the commissioner governing those functions and
434.30 with this section. The following variances are excluded from the delegation of variance
434.31 authority and may be issued only by the commissioner:

434.32 (1) dual licensure of child foster residence setting and community residential setting;

435.1 (2) until the responsibility for family child foster care transfers to the commissioner of
435.2 children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual
435.3 licensure of family child foster care and family adult foster care;

435.4 (3) until the responsibility for family child care transfers to the commissioner of children,
435.5 youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of
435.6 family adult foster care and family child care;

435.7 (4) adult foster care or community residential setting maximum capacity;

435.8 (5) adult foster care or community residential setting minimum age requirement;

435.9 (6) child foster care maximum age requirement;

435.10 (7) variances regarding disqualified individuals;

435.11 (8) the required presence of a caregiver in the adult foster care residence during normal
435.12 sleeping hours;

435.13 (9) variances to requirements relating to chemical use problems of a license holder or a
435.14 household member of a license holder; and

435.15 (10) variances to section 142B.46 for the use of a cradleboard for a cultural
435.16 accommodation.

435.17 (b) Once the respective responsibilities transfer from the commissioner of human services
435.18 to the commissioner of children, youth, and families, under Laws 2023, chapter 70, article

160.19 12, section 30, the commissioners of human services and children, youth, and families must
160.20 both approve a variance for dual licensure of family child foster care and family adult foster
160.21 care or family adult foster care and family child care. Variances under this paragraph are
160.22 excluded from the delegation of variance authority and may be issued only by both
160.23 commissioners.

160.24 ~~(e) For family adult day services programs, the commissioner may authorize licensing~~
160.25 ~~reviews every two years after a licensee has had at least one annual review.~~

160.26 ~~(d) A~~ (c) An adult foster care, family adult day services, child foster residence setting,
160.27 or community residential services license issued under this section may be issued for up to
160.28 two years until implementation of the provider licensing and reporting hub. Upon
160.29 implementation of the provider licensing and reporting hub, licenses may be issued each
160.30 calendar year.

160.31 ~~(e)~~ (d) During implementation of chapter 245D, the commissioner shall consider:

160.32 (1) the role of counties in quality assurance;

161.1 (2) the duties of county licensing staff; and

161.2 (3) the possible use of joint powers agreements, according to section 471.59, with counties
161.3 through which some licensing duties under chapter 245D may be delegated by the
161.4 commissioner to the counties.

161.5 Any consideration related to this paragraph must meet all of the requirements of the corrective
161.6 action plan ordered by the federal Centers for Medicare and Medicaid Services.

161.7 ~~(f)~~ (e) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
161.8 successor provisions; and section 245D.061 or successor provisions, for family child foster
161.9 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
161.10 1, paragraph (b), clause (1), is excluded from the delegation of authority to county agencies.

161.11 Sec. 8. Minnesota Statutes 2024, section 245A.242, subdivision 2, is amended to read:

161.12 Subd. 2. **Emergency overdose treatment.** (a) A license holder must maintain a supply
161.13 of opiate antagonists as defined in section 604A.04, subdivision 1, available for emergency
161.14 treatment of opioid overdose and must have a written standing order protocol by a physician
161.15 who is licensed under chapter 147, advanced practice registered nurse who is licensed under
161.16 chapter 148, or physician assistant who is licensed under chapter 147A, that permits the
161.17 license holder to maintain a supply of opiate antagonists on site. A license holder must
161.18 require staff to undergo training in the specific mode of administration used at the program,
161.19 which may include intranasal administration, intramuscular injection, or both, before the
161.20 staff has direct contact, as defined in section 245C.02, subdivision 11, with a person served
161.21 by the program.

161.22 (b) Notwithstanding any requirements to the contrary in Minnesota Rules, chapters 2960
161.23 and 9530, and Minnesota Statutes, chapters 245F, 245G, and 245I:

435.19 12, section 30, the commissioners of human services and children, youth, and families must
435.20 both approve a variance for dual licensure of family child foster care and family adult foster
435.21 care or family adult foster care and family child care. Variances under this paragraph are
435.22 excluded from the delegation of variance authority and may be issued only by both
435.23 commissioners.

435.24 ~~(e) For family adult day services programs, the commissioner may authorize licensing~~
435.25 ~~reviews every two years after a licensee has had at least one annual review.~~

435.26 ~~(d) A~~ (c) An adult foster care, family adult day services, child foster residence setting,
435.27 or community residential services license issued under this section may be issued for up to
435.28 two years until implementation of the provider licensing and reporting hub. Upon
435.29 implementation of the provider licensing and reporting hub, licenses may be issued each
435.30 calendar year.

435.31 ~~(e)~~ (d) During implementation of chapter 245D, the commissioner shall consider:

435.32 (1) the role of counties in quality assurance;

436.1 (2) the duties of county licensing staff; and

436.2 (3) the possible use of joint powers agreements, according to section 471.59, with counties
436.3 through which some licensing duties under chapter 245D may be delegated by the
436.4 commissioner to the counties.

436.5 Any consideration related to this paragraph must meet all of the requirements of the corrective
436.6 action plan ordered by the federal Centers for Medicare and Medicaid Services.

436.7 ~~(f)~~ (e) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
436.8 successor provisions; and section 245D.061 or successor provisions, for family child foster
436.9 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
436.10 1, paragraph (b), clause (1), is excluded from the delegation of authority to county agencies.

436.11 Sec. 6. Minnesota Statutes 2024, section 245A.242, subdivision 2, is amended to read:

436.12 Subd. 2. **Emergency overdose treatment.** (a) A license holder must maintain a supply
436.13 of opiate antagonists as defined in section 604A.04, subdivision 1, available for emergency
436.14 treatment of opioid overdose and must have a written standing order protocol by a physician
436.15 who is licensed under chapter 147, advanced practice registered nurse who is licensed under
436.16 chapter 148, or physician assistant who is licensed under chapter 147A, that permits the
436.17 license holder to maintain a supply of opiate antagonists on site. A license holder must
436.18 require staff to undergo training in the specific mode of administration used at the program,
436.19 which may include intranasal administration, intramuscular injection, or both, before the
436.20 staff has direct contact, as defined in section 245C.02, subdivision 11, with a person served
436.21 by the program.

436.22 (b) Notwithstanding any requirements to the contrary in Minnesota Rules, chapters 2960
436.23 and 9530, and Minnesota Statutes, chapters 245F, 245G, and 245I:

161.24 (1) emergency opiate antagonist medications are not required to be stored in a locked
161.25 area and staff and adult clients may carry this medication on them and store it in an unlocked
161.26 location;

161.27 (2) staff persons who only administer emergency opiate antagonist medications only
161.28 require the training required by paragraph (a), which any knowledgeable trainer may provide.
161.29 The trainer is not required to be a registered nurse or part of an accredited educational
161.30 institution; and

161.31 (3) nonresidential substance use disorder treatment programs that do not administer
161.32 client medications beyond emergency opiate antagonist medications are not required to
161.33 have the policies and procedures required in section 245G.08, subdivisions 5 and 6, and
162.1 must instead describe the program's procedures for administering opiate antagonist
162.2 medications in the license holder's description of health care services under section 245G.08,
162.3 subdivision 1.

162.4 Sec. 9. Minnesota Statutes 2024, section 245C.05, is amended by adding a subdivision to
162.5 read:

162.6 Subd. 9. **Electronic signature.** For documentation requiring a signature under this
162.7 chapter, use of an electronic signature as defined under section 325L.02, paragraph (h), is
162.8 allowed.

162.9 Sec. 10. Minnesota Statutes 2024, section 245C.08, subdivision 3, is amended to read:

162.10 Subd. 3. **Arrest and investigative information.** (a) For any background study completed
162.11 under this section, if the commissioner has reasonable cause to believe the information is
162.12 pertinent to the disqualification of an individual, the commissioner also may review arrest
162.13 and investigative information from:

162.14 (1) the Bureau of Criminal Apprehension;

162.15 (2) the commissioners of children, youth, and families; health; and human services;

162.16 (3) a ~~county attorney~~ prosecutor;

162.17 ~~(4) a county sheriff~~;

162.18 ~~(5) (4)~~ a county agency;

162.19 ~~(6) (5)~~ a ~~local chief of police~~ law enforcement agency;

162.20 ~~(7) (6)~~ other states;

162.21 ~~(8) (7)~~ the courts;

162.22 ~~(9) (8)~~ the Federal Bureau of Investigation;

162.23 ~~(10) (9)~~ the National Criminal Records Repository; and

162.24 ~~(11) (10)~~ criminal records from other states.

436.24 (1) emergency opiate antagonist medications are not required to be stored in a locked
436.25 area and staff and adult clients may carry this medication on them and store it in an unlocked
436.26 location;

436.27 (2) staff persons who only administer emergency opiate antagonist medications only
436.28 require the training required by paragraph (a), which any knowledgeable trainer may provide.
436.29 The trainer is not required to be a registered nurse or part of an accredited educational
436.30 institution; and

436.31 (3) nonresidential substance use disorder treatment programs that do not administer
436.32 client medications beyond emergency opiate antagonist medications are not required to
436.33 have the policies and procedures required in section 245G.08, subdivisions 5 and 6, and
437.1 must instead describe the program's procedures for administering opiate antagonist
437.2 medications in the license holder's description of health care services under section 245G.08,
437.3 subdivision 1.

437.4 Sec. 7. Minnesota Statutes 2024, section 245C.05, is amended by adding a subdivision to
437.5 read:

437.6 Subd. 9. **Electronic signature.** For documentation requiring a signature under this
437.7 chapter, use of an electronic signature as defined under section 325L.02, paragraph (h), is
437.8 allowed.

437.9 Sec. 8. Minnesota Statutes 2024, section 245C.08, subdivision 3, is amended to read:

437.10 Subd. 3. **Arrest and investigative information.** (a) For any background study completed
437.11 under this section, if the commissioner has reasonable cause to believe the information is
437.12 pertinent to the disqualification of an individual, the commissioner also may review arrest
437.13 and investigative information from:

437.14 (1) the Bureau of Criminal Apprehension;

437.15 (2) the commissioners of children, youth, and families; health; and human services;

437.16 (3) a ~~county attorney~~ prosecutor;

437.17 ~~(4) a county sheriff~~;

437.18 ~~(5) (4)~~ a county agency;

437.19 ~~(6) (5)~~ a ~~local chief of police~~ law enforcement agency;

437.20 ~~(7) (6)~~ other states;

437.21 ~~(8) (7)~~ the courts;

437.22 ~~(9) (8)~~ the Federal Bureau of Investigation;

437.23 ~~(10) (9)~~ the National Criminal Records Repository; and

437.24 ~~(11) (10)~~ criminal records from other states.

162.25 (b) Except when specifically required by law, the commissioner is not required to conduct
162.26 more than one review of a subject's records from the Federal Bureau of Investigation if a
162.27 review of the subject's criminal history with the Federal Bureau of Investigation has already
162.28 been completed by the commissioner and there has been no break in the subject's affiliation
162.29 with the entity that initiated the background study.

163.1 (c) If the commissioner conducts a national criminal history record check when required
163.2 by law and uses the information from the national criminal history record check to make a
163.3 disqualification determination, the data obtained is private data and cannot be shared with
163.4 private agencies or prospective employers of the background study subject.

163.5 (d) If the commissioner conducts a national criminal history record check when required
163.6 by law and uses the information from the national criminal history record check to make a
163.7 disqualification determination, the license holder or entity that submitted the study is not
163.8 required to obtain a copy of the background study subject's disqualification letter under
163.9 section 245C.17, subdivision 3.

163.10 Sec. 11. Minnesota Statutes 2024, section 245C.22, subdivision 5, is amended to read:

163.11 Subd. 5. **Scope of set-aside.** (a) If the commissioner sets aside a disqualification under
163.12 this section, the disqualified individual remains disqualified, but may hold a license and
163.13 have direct contact with or access to persons receiving services. Except as provided in
163.14 paragraph (b), the commissioner's set-aside of a disqualification is limited solely to the
163.15 licensed program, applicant, or agency specified in the set aside notice under section 245C.23.
163.16 For personal care provider organizations, financial management services organizations,
163.17 community first services and supports organizations, unlicensed home and community-based
163.18 organizations, and consumer-directed community supports organizations, the commissioner's
163.19 set-aside may further be limited to a specific individual who is receiving services. For new
163.20 background studies required under section 245C.04, subdivision 1, paragraph (h), if an
163.21 individual's disqualification was previously set aside for the license holder's program and
163.22 the new background study results in no new information that indicates the individual may
163.23 pose a risk of harm to persons receiving services from the license holder, the previous
163.24 set-aside shall remain in effect.

163.25 (b) If the commissioner has previously set aside an individual's disqualification for one
163.26 or more programs or agencies, and the individual is the subject of a subsequent background
163.27 study for a different program or agency, the commissioner shall determine whether the
163.28 disqualification is set aside for the program or agency that initiated the subsequent
163.29 background study. A notice of a set-aside under paragraph (c) shall be issued within 15
163.30 working days if all of the following criteria are met:

163.31 (1) the subsequent background study was initiated in connection with a program licensed
163.32 or regulated under the same provisions of law and rule for at least one program for which
163.33 the individual's disqualification was previously set aside by the commissioner;

437.25 (b) Except when specifically required by law, the commissioner is not required to conduct
437.26 more than one review of a subject's records from the Federal Bureau of Investigation if a
437.27 review of the subject's criminal history with the Federal Bureau of Investigation has already
437.28 been completed by the commissioner and there has been no break in the subject's affiliation
437.29 with the entity that initiated the background study.

438.1 (c) If the commissioner conducts a national criminal history record check when required
438.2 by law and uses the information from the national criminal history record check to make a
438.3 disqualification determination, the data obtained is private data and cannot be shared with
438.4 private agencies or prospective employers of the background study subject.

438.5 (d) If the commissioner conducts a national criminal history record check when required
438.6 by law and uses the information from the national criminal history record check to make a
438.7 disqualification determination, the license holder or entity that submitted the study is not
438.8 required to obtain a copy of the background study subject's disqualification letter under
438.9 section 245C.17, subdivision 3.

438.10 Sec. 9. Minnesota Statutes 2024, section 245C.22, subdivision 5, is amended to read:

438.11 Subd. 5. **Scope of set-aside.** (a) If the commissioner sets aside a disqualification under
438.12 this section, the disqualified individual remains disqualified, but may hold a license and
438.13 have direct contact with or access to persons receiving services. Except as provided in
438.14 paragraph (b), the commissioner's set-aside of a disqualification is limited solely to the
438.15 licensed program, applicant, or agency specified in the set aside notice under section 245C.23.
438.16 For personal care provider organizations, financial management services organizations,
438.17 community first services and supports organizations, unlicensed home and community-based
438.18 organizations, and consumer-directed community supports organizations, the commissioner's
438.19 set-aside may further be limited to a specific individual who is receiving services. For new
438.20 background studies required under section 245C.04, subdivision 1, paragraph (h), if an
438.21 individual's disqualification was previously set aside for the license holder's program and
438.22 the new background study results in no new information that indicates the individual may
438.23 pose a risk of harm to persons receiving services from the license holder, the previous
438.24 set-aside shall remain in effect.

438.25 (b) If the commissioner has previously set aside an individual's disqualification for one
438.26 or more programs or agencies, and the individual is the subject of a subsequent background
438.27 study for a different program or agency, the commissioner shall determine whether the
438.28 disqualification is set aside for the program or agency that initiated the subsequent
438.29 background study. A notice of a set-aside under paragraph (c) shall be issued within 15
438.30 working days if all of the following criteria are met:

438.31 (1) the subsequent background study was initiated in connection with a program licensed
438.32 or regulated under the same provisions of law and rule for at least one program for which
438.33 the individual's disqualification was previously set aside by the commissioner;

164.1 (2) the individual is not disqualified for an offense specified in section 245C.15,
164.2 subdivision 1 or 2;

164.3 (3) the commissioner has received no new information to indicate that the individual
164.4 may pose a risk of harm to any person served by the program; and

164.5 (4) the previous set-aside was not limited to a specific person receiving services.

164.6 (c) Notwithstanding paragraph (b), clause (2), for an individual who is employed in the
164.7 substance use disorder field, if the commissioner has previously set aside an individual's
164.8 disqualification for one or more programs or agencies in the substance use disorder treatment
164.9 field, and the individual is the subject of a subsequent background study for a different
164.10 program or agency in the substance use disorder treatment field, the commissioner shall set
164.11 aside the disqualification for the program or agency in the substance use disorder treatment
164.12 field that initiated the subsequent background study when the criteria under paragraph (b),
164.13 clauses (1), (3), and (4), are met and the individual is not disqualified for an offense specified
164.14 in section 245C.15, subdivision 1. A notice of a set-aside under paragraph (d) shall be issued
164.15 within 15 working days.

164.16 (d) When a disqualification is set aside under paragraph (b), the notice of background
164.17 study results issued under section 245C.17, in addition to the requirements under section
164.18 245C.17, shall state that the disqualification is set aside for the program or agency that
164.19 initiated the subsequent background study. The notice must inform the individual that the
164.20 individual may request reconsideration of the disqualification under section 245C.21 on the
164.21 basis that the information used to disqualify the individual is incorrect.

164.22 Sec. 12. Minnesota Statutes 2024, section 245D.02, subdivision 4a, is amended to read:

164.23 Subd. 4a. **Community residential setting.** "Community residential setting" means a
164.24 residential program ~~as identified in section 245A.11, subdivision 8,~~ where residential supports
164.25 and services identified in section 245D.03, subdivision 1, paragraph (c), clause (3), items
164.26 (i) and (ii), are provided to adults, as defined in section 245A.02, subdivision 2, and the
164.27 license holder is the owner, lessor, or tenant of the facility licensed according to this chapter,
164.28 and the license holder does not reside in the facility.

164.29 **EFFECTIVE DATE.** This section is effective August 1, 2025.

164.30 Sec. 13. Minnesota Statutes 2024, section 245G.05, subdivision 1, is amended to read:

164.31 Subdivision 1. **Comprehensive assessment.** A comprehensive assessment of the client's
164.32 substance use disorder must be administered face-to-face by an alcohol and drug counselor
165.1 within five calendar days from the day of service initiation for a residential program or by
165.2 the end of the fifth day on which a treatment service is provided in a nonresidential program.
165.3 The number of days to complete the comprehensive assessment excludes the day of service
165.4 initiation. If the comprehensive assessment is not completed within the required time frame,
165.5 the person-centered reason for the delay and the planned completion date must be documented
165.6 in the client's file. The comprehensive assessment is complete upon a qualified staff member's

439.1 (2) the individual is not disqualified for an offense specified in section 245C.15,
439.2 subdivision 1 or 2;

439.3 (3) the commissioner has received no new information to indicate that the individual
439.4 may pose a risk of harm to any person served by the program; and

439.5 (4) the previous set-aside was not limited to a specific person receiving services.

439.6 (c) Notwithstanding paragraph (b), clause (2), for an individual who is employed in the
439.7 substance use disorder field, if the commissioner has previously set aside an individual's
439.8 disqualification for one or more programs or agencies in the substance use disorder treatment
439.9 field, and the individual is the subject of a subsequent background study for a different
439.10 program or agency in the substance use disorder treatment field, the commissioner shall set
439.11 aside the disqualification for the program or agency in the substance use disorder treatment
439.12 field that initiated the subsequent background study when the criteria under paragraph (b),
439.13 clauses (1), (3), and (4), are met and the individual is not disqualified for an offense specified
439.14 in section 245C.15, subdivision 1. A notice of a set-aside under paragraph (d) shall be issued
439.15 within 15 working days.

439.16 (d) When a disqualification is set aside under paragraph (b), the notice of background
439.17 study results issued under section 245C.17, in addition to the requirements under section
439.18 245C.17, shall state that the disqualification is set aside for the program or agency that
439.19 initiated the subsequent background study. The notice must inform the individual that the
439.20 individual may request reconsideration of the disqualification under section 245C.21 on the
439.21 basis that the information used to disqualify the individual is incorrect.

439.22 Sec. 10. Minnesota Statutes 2024, section 245D.02, subdivision 4a, is amended to read:

439.23 Subd. 4a. **Community residential setting.** "Community residential setting" means a
439.24 residential program ~~as identified in section 245A.11, subdivision 8,~~ where residential supports
439.25 and services identified in section 245D.03, subdivision 1, paragraph (c), clause (3), items
439.26 (i) and (ii), are provided to adults, as defined in section 245A.02, subdivision 2, and the
439.27 license holder is the owner, lessor, or tenant of the facility licensed according to this chapter,
439.28 and the license holder does not reside in the facility.

439.29 **EFFECTIVE DATE.** This section is effective August 1, 2025.

165.7 dated signature. If the client previously received a comprehensive assessment ~~that authorized~~
165.8 ~~the treatment service~~, an alcohol and drug counselor may use the comprehensive assessment
165.9 for requirements of this subdivision but must document a review of the comprehensive
165.10 assessment and update the comprehensive assessment as clinically necessary to ensure
165.11 compliance with this subdivision within applicable timelines. An alcohol and drug counselor
165.12 must sign and date the comprehensive assessment review and update.

165.13 Sec. 14. Minnesota Statutes 2024, section 245G.06, subdivision 1, is amended to read:

165.14 Subdivision 1. **General.** Each client must have a person-centered individual treatment
165.15 plan developed by an alcohol and drug counselor within ten days from the day of service
165.16 initiation for a residential program, by the end of the tenth day on which a treatment session
165.17 has been provided from the day of service initiation for a client in a nonresidential program,
165.18 not to exceed 30 days. Opioid treatment programs must complete the individual treatment
165.19 plan within ~~24~~ 14 days from the day of service initiation. The number of days to complete
165.20 the individual treatment plan excludes the day of service initiation. The individual treatment
165.21 plan must be signed by the client and the alcohol and drug counselor and document the
165.22 client's involvement in the development of the plan. The individual treatment plan is
165.23 developed upon the qualified staff member's dated signature. Treatment planning must
165.24 include ongoing assessment of client needs. An individual treatment plan must be updated
165.25 based on new information gathered about the client's condition, the client's level of
165.26 participation, and on whether methods identified have the intended effect. A change to the
165.27 plan must be signed by the client and the alcohol and drug counselor. If the client chooses
165.28 to have family or others involved in treatment services, the client's individual treatment plan
165.29 must include how the family or others will be involved in the client's treatment. If a client
165.30 is receiving treatment services or an assessment via telehealth and the alcohol and drug
165.31 counselor documents the reason the client's signature cannot be obtained, the alcohol and
165.32 drug counselor may document the client's verbal approval or electronic written approval of
165.33 the treatment plan or change to the treatment plan in lieu of the client's signature.

166.1 Sec. 15. Minnesota Statutes 2024, section 245G.06, subdivision 2a, is amended to read:

166.2 Subd. 2a. **Documentation of treatment services.** The license holder must ensure that
166.3 the staff member who provides the treatment service documents in the client record the
166.4 date, type, and amount of each treatment service provided to a client and the client's response
166.5 to each treatment service within seven days of providing the treatment service. In addition
166.6 to the other requirements of this subdivision, if a guest speaker presents information during
166.7 a treatment service, the alcohol and drug counselor who provided the service and is
166.8 responsible for the information presented by the guest speaker must document the name of
166.9 the guest speaker, date of service, time the presentation began, time the presentation ended,
166.10 and a summary of the topic presentation.

166.11 Sec. 16. Minnesota Statutes 2024, section 245G.06, subdivision 3a, is amended to read:

166.12 Subd. 3a. **Frequency of treatment plan reviews.** (a) A license holder must ensure that
166.13 the alcohol and drug counselor responsible for a client's treatment plan completes and

166.14 documents a treatment plan review that meets the requirements of subdivision 3 in each
166.15 client's file, according to the frequencies required in this subdivision. All ASAM levels
166.16 referred to in this chapter are those described in section 254B.19, subdivision 1.

166.17 (b) For a client receiving residential ASAM level 3.3 or 3.5 high-intensity services or
166.18 residential hospital-based services, a treatment plan review must be completed once every
166.19 14 days.

166.20 (c) For a client receiving residential ASAM level 3.1 low-intensity services or any other
166.21 residential level not listed in paragraph (b), a treatment plan review must be completed once
166.22 every 30 days.

166.23 (d) For a client receiving nonresidential ASAM level 2.5 partial hospitalization services,
166.24 a treatment plan review must be completed once every 14 days.

166.25 (e) For a client receiving nonresidential ASAM level 1.0 outpatient or 2.1 intensive
166.26 outpatient services or any other nonresidential level not included in paragraph (d), a treatment
166.27 plan review must be completed once every 30 days.

166.28 (f) For a client receiving nonresidential opioid treatment program services according to
166.29 section 245G.22, a treatment plan review must be completed:

166.30 (1) weekly for the ten weeks following completion of the treatment plan; and

166.31 (2) monthly thereafter.

166.32 Treatment plan reviews must be completed more frequently when clinical needs warrant.

167.1 (g) The ten-week time frame in paragraph (f), clause (1), may include a client's previous
167.2 time at another opioid treatment program licensed in Minnesota under section 245G.22 if:

167.3 (1) the client was enrolled in the other opioid treatment program immediately prior to
167.4 admission to the license holder's program;

167.5 (2) the client did not miss taking a daily dose of medication to treat an opioid use disorder;
167.6 and

167.7 (3) the license holder obtains from the previous opioid treatment program the client's
167.8 number of days in comprehensive treatment, discharge summary, amount of daily milligram
167.9 dose of medication for opioid use disorder, and previous three drug abuse test results.

167.10 ~~(g)~~ (h) Notwithstanding paragraphs (e) and (f), clause (2), for a client in a nonresidential
167.11 program with a treatment plan that clearly indicates less than five hours of skilled treatment
167.12 services will be provided to the client each month, a treatment plan review must be completed
167.13 once every 90 days. Treatment plan reviews must be completed more frequently when
167.14 clinical needs warrant.

- 167.15 Sec. 17. Minnesota Statutes 2024, section 245G.07, subdivision 2, is amended to read:
- 167.16 Subd. 2. **Additional treatment service.** A license holder may provide or arrange the
- 167.17 following additional treatment service as a part of the client's individual treatment plan:
- 167.18 (1) relationship counseling provided by a qualified professional to help the client identify
- 167.19 the impact of the client's substance use disorder on others and to help the client and persons
- 167.20 in the client's support structure identify and change behaviors that contribute to the client's
- 167.21 substance use disorder;
- 167.22 (2) therapeutic recreation to allow the client to participate in recreational activities
- 167.23 without the use of mood-altering chemicals and to plan and select leisure activities that do
- 167.24 not involve the inappropriate use of chemicals;
- 167.25 (3) stress management and physical well-being to help the client reach and maintain an
- 167.26 appropriate level of health, physical fitness, and well-being;
- 167.27 (4) living skills development to help the client learn basic skills necessary for independent
- 167.28 living;
- 167.29 (5) employment or educational services to help the client become financially independent;
- 167.30 (6) socialization skills development to help the client live and interact with others in a
- 167.31 positive and productive manner;
- 168.1 (7) room, board, and supervision at the treatment site to provide the client with a safe
- 168.2 and appropriate environment to gain and practice new skills; and
- 168.3 (8) peer recovery support services must be provided one-to-one and face-to-face, by a
- 168.4 recovery peer ~~qualified~~ according to section 245I.04, subdivision 18. Peer recovery support
- 168.5 services must be provided according to sections 254B.05, subdivision 5, and 254B.052, and
- 168.6 may be provided through telehealth according to section 256B.0625, subdivision 3b.
- 168.7 Sec. 18. Minnesota Statutes 2024, section 245G.08, subdivision 6, is amended to read:
- 168.8 Subd. 6. **Control of drugs.** A license holder must have and implement written policies
- 168.9 and procedures developed by a registered nurse that contain:
- 168.10 (1) a requirement that each drug must be stored in a locked compartment. A Schedule
- 168.11 II drug, as defined by section 152.02, subdivision 3, must be stored in a separately locked
- 168.12 compartment, permanently affixed to the physical plant or medication cart;
- 168.13 (2) a documentation system ~~which~~ that accounts for all ~~scheduled drugs each shift~~
- 168.14 ~~schedule II to V drugs listed in section 152.02, subdivisions 3 to 6;~~
- 168.15 (3) a procedure for recording the client's use of medication, including the signature of
- 168.16 the staff member who completed the administration of the medication with the time and
- 168.17 date;
- 168.18 (4) a procedure to destroy a discontinued, outdated, or deteriorated medication;

168.19 (5) a statement that only authorized personnel are permitted access to the keys to a locked
168.20 compartment;

168.21 (6) a statement that no legend drug supply for one client shall be given to another client;
168.22 and

168.23 (7) a procedure for monitoring the available supply of an opiate antagonist as defined
168.24 in section 604A.04, subdivision 1, on site and replenishing the supply when needed.

168.25 Sec. 19. Minnesota Statutes 2024, section 245G.09, subdivision 3, is amended to read:

168.26 Subd. 3. **Contents.** (a) Client records must contain the following:

168.27 (1) documentation that the client was given:

168.28 (i) information on client rights and responsibilities; and grievance procedures; on the
168.29 day of service initiation;

169.1 (ii) information on tuberculosis; and HIV; and that the client was provided within 72
169.2 hours of service initiation;

169.3 (iii) an orientation to the program abuse prevention plan required under section 245A.65,
169.4 subdivision 2, paragraph (a), clause (4); ~~If the client has an opioid use disorder, the record~~
169.5 ~~must contain documentation that the client was provided, within 24 hours of admission or,~~
169.6 ~~for clients who would benefit from a later orientation, 72 hours; and~~

169.7 (iv) opioid educational information material according to section 245G.04, subdivision
169.8 3, on the day of service initiation;

169.9 (2) an initial services plan completed according to section 245G.04;

169.10 (3) a comprehensive assessment completed according to section 245G.05;

169.11 (4) an individual abuse prevention plan according to sections 245A.65, subdivision 2,
169.12 and 626.557, subdivision 14, when applicable;

169.13 (5) an individual treatment plan according to section 245G.06, subdivisions 1 and 1a;

169.14 (6) documentation of treatment services, significant events, appointments, concerns, and
169.15 treatment plan reviews according to section 245G.06, subdivisions 2a, 2b, 3, and 3a; and

169.16 (7) a summary at the time of service termination according to section 245G.06,
169.17 subdivision 4.

169.18 (b) For a client that transfers to another of the license holder's licensed treatment locations,
169.19 the license holder is not required to complete new documents or orientation for the client,
169.20 except that the client must receive an orientation to the new location's grievance procedure,
169.21 program abuse prevention plan, and maltreatment of minor and vulnerable adults reporting
169.22 procedures.

169.23 Sec. 20. Minnesota Statutes 2024, section 245G.11, subdivision 11, is amended to read:

169.24 Subd. 11. **Individuals with temporary permit.** An individual with a temporary permit
169.25 from the Board of Behavioral Health and Therapy may provide substance use disorder
169.26 treatment service services and complete comprehensive assessments, individual treatment
169.27 plans, treatment plan reviews, and service discharge summaries according to this subdivision
169.28 if they meet the requirements of either paragraph (a) or (b).

169.29 (a) An individual with a temporary permit must be supervised by a licensed alcohol and
169.30 drug counselor assigned by the license holder. The supervising licensed alcohol and drug
169.31 counselor must document the amount and type of supervision provided at least on a weekly
169.32 basis. The supervision must relate to the clinical practice.

170.1 (b) An individual with a temporary permit must be supervised by a clinical supervisor
170.2 approved by the Board of Behavioral Health and Therapy. The supervision must be
170.3 documented and meet the requirements of section 148F.04, subdivision 4.

170.4 Sec. 21. Minnesota Statutes 2024, section 245G.18, subdivision 2, is amended to read:

170.5 Subd. 2. **Alcohol and drug counselor qualifications.** In addition to the requirements
170.6 specified in section 245G.11, subdivisions 1 and 5, an alcohol and drug counselor providing
170.7 treatment service to an adolescent must have:

170.8 ~~(1) an additional 30 hours of training or classroom instruction or one three-credit semester~~
170.9 ~~college course in adolescent development. ~~This~~ The training, classroom instruction, or~~
170.10 ~~college course must be completed no later than six months after the counselor first provides~~
170.11 ~~treatment services to adolescents and need only be completed one time; and. The training~~
170.12 ~~must be interactive and must not consist only of reading information. An alcohol and drug~~
170.13 ~~counselor who is also qualified as a mental health professional under section 245I.04,~~
170.14 ~~subdivision 2, is exempt from the requirement in this subdivision.~~

170.15 ~~(2) at least 150 hours of supervised experience as an adolescent counselor, either as a~~
170.16 ~~student or as a staff member.~~

170.17 Sec. 22. Minnesota Statutes 2024, section 245G.19, subdivision 4, is amended to read:

170.18 Subd. 4. **Additional licensing requirements.** During the times the license holder is
170.19 responsible for the supervision of a child, except for license holders described in subdivision
170.20 5, the license holder must meet the following standards:

170.21 (1) child and adult ratios in Minnesota Rules, part 9502.0367;

170.22 (2) day care training in section 142B.70;

170.23 (3) behavior guidance in Minnesota Rules, part 9502.0395;

170.24 (4) activities and equipment in Minnesota Rules, part 9502.0415;

170.25 (5) physical environment in Minnesota Rules, part 9502.0425;

170.26 (6) physical space requirements in section 142B.72; and

170.27 (7) water, food, and nutrition in Minnesota Rules, part 9502.0445, unless the license

170.28 holder has a license from the Department of Health.

171.1 Sec. 23. Minnesota Statutes 2024, section 245G.19, is amended by adding a subdivision

171.2 to read:

171.3 Subd. 5. **Child care license exemption.** (a) License holders that only provide supervision

171.4 of children for less than three hours a day while the child's parent is in the same building

171.5 or contiguous building as allowed by the exclusion from licensure in section 245A.03,

171.6 subdivision 2, paragraph (a), clause (6), are exempt from the requirements of subdivision

171.7 4 if the requirements of this subdivision are met.

171.8 (b) During the times the license holder is responsible for the supervision of the child,

171.9 there must always be a staff member present who is responsible for supervising the child

171.10 who is trained in cardiopulmonary resuscitation (CPR) and first aid. This staff person must

171.11 be able to immediately contact the child's parent at all times.

171.12 Sec. 24. Minnesota Statutes 2024, section 245G.22, subdivision 1, is amended to read:

171.13 Subdivision 1. **Additional requirements.** (a) An opioid treatment program licensed

171.14 under this chapter must also: (1) comply with the requirements of this section and Code of

171.15 Federal Regulations, title 42, part 8; (2) be registered as a narcotic treatment program with

171.16 the Drug Enforcement Administration; (3) be accredited through an accreditation body

171.17 approved by the Division of Pharmacologic Therapy of the Center for Substance Abuse

171.18 Treatment; (4) be certified through the Division of Pharmacologic Therapy of the Center

171.19 for Substance Abuse Treatment; and (5) hold a license from the Minnesota Board of

171.20 Pharmacy or equivalent agency meet the requirements for dispensing by a practitioner in

171.21 section 151.37, subdivision 2, and Minnesota Rules, parts 6800.9950 to 6800.9954.

171.22 (b) A license holder operating under the dispensing by practitioner requirements in

171.23 section 151.37, subdivision 2, and Minnesota Rules, parts 6800.9950 to 6800.9954, must

171.24 maintain documentation that the practitioner responsible for complying with the above

171.25 statute and rules has signed a statement attesting that they are the practitioner responsible

171.26 for complying with the applicable statutes and rules. If more than one person is responsible

171.27 for compliance, all practitioners must sign a statement.

171.28 ~~(b)~~ (c) Where a standard in this section differs from a standard in an otherwise applicable

171.29 administrative rule or statute, the standard of this section applies.

171.30 Sec. 25. Minnesota Statutes 2024, section 245G.22, subdivision 14, is amended to read:

171.31 Subd. 14. **Central registry.** ~~(a)~~ A license holder must comply with requirements to

171.32 submit information and necessary consents to the state central registry for each client

172.1 admitted, as specified by the commissioner. The license holder must submit data concerning

172.2 medication used for the treatment of opioid use disorder. The data must be submitted in a

172.3 method determined by the commissioner and the original information must be kept in the

172.4 client's record. The information must be submitted for each client at admission and discharge.
172.5 The program must document the date the information was submitted. The client's failure to
172.6 provide the information shall prohibit participation in an opioid treatment program. The
172.7 information submitted must include the client's:

172.8 (1) full name and all aliases;

172.9 (2) date of admission;

172.10 (3) date of birth;

172.11 (4) Social Security number or Alien Registration Number, if any; and

172.12 (5) current or previous enrollment status in another opioid treatment program;

172.13 ~~(6) government-issued photo identification card number; and~~

172.14 ~~(7) driver's license number, if any.~~

172.15 ~~(b) The requirements in paragraph (a) are effective upon the commissioner's~~

172.16 ~~implementation of changes to the drug and alcohol abuse normative evaluation system or~~

172.17 ~~development of an electronic system by which to submit the data.~~

172.18 Sec. 26. Minnesota Statutes 2024, section 245G.22, subdivision 15, is amended to read:

172.19 Subd. 15. **Nonmedication treatment services; documentation.** (a) The program must
172.20 offer at least 50 consecutive minutes of individual or group therapy treatment services as
172.21 defined in section 245G.07, subdivision 1, paragraph (a), clause (1), per week, for the first
172.22 ten weeks following the day of service initiation, and at least 50 consecutive minutes per
172.23 month thereafter. As clinically appropriate, the program may offer these services cumulatively
172.24 and not consecutively in increments of no less than 15 minutes over the required time period,
172.25 and for a total of 60 minutes of treatment services over the time period, and must document
172.26 the reason for providing services cumulatively in the client's record. The program may offer
172.27 additional levels of service when deemed clinically necessary.

172.28 (b) The ten-week time frame may include a client's previous time at another opioid
172.29 treatment program licensed in Minnesota under this section if:

172.30 (1) the client was enrolled in the other opioid treatment program immediately prior to
172.31 admission to the license holder's program;

173.1 (2) the client did not miss taking a daily dose of medication to treat an opioid use disorder;
173.2 and

173.3 (3) the license holder obtains from the previous opioid treatment program the client's
173.4 number of days in comprehensive maintenance treatment, discharge summary, amount of
173.5 daily milligram dose of medication for opioid use disorder, and previous three drug abuse
173.6 test results.

173.7 ~~(b)~~ (c) Notwithstanding the requirements of comprehensive assessments in section
173.8 245G.05, the assessment must be completed within 21 days from the day of service initiation.

173.9 Sec. 27. Minnesota Statutes 2024, section 256.98, subdivision 1, is amended to read:

173.10 Subdivision 1. **Wrongfully obtaining assistance.** (a) A person who commits any of the
173.11 following acts or omissions with intent to defeat the purposes of sections 145.891 to 145.897,
173.12 the MFIP program formerly codified in sections 256.031 to 256.0361, the AFDC program
173.13 formerly codified in sections 256.72 to 256.871, chapter 142G, 256B, 256D, 256I, 256K,
173.14 or 256L, child care assistance programs, and emergency assistance programs under section
173.15 256D.06, is guilty of theft and shall be sentenced under section 609.52, subdivision 3, clauses
173.16 (1) to (5):

173.17 (1) obtains or attempts to obtain, or aids or abets any person to obtain by means of a
173.18 willfully false statement or representation, by intentional concealment of any material fact,
173.19 or by impersonation or other fraudulent device, assistance or the continued receipt of
173.20 assistance, to include child care assistance or food benefits produced according to sections
173.21 145.891 to 145.897 and MinnesotaCare services according to sections 256.9365, 256.94,
173.22 and 256L.01 to 256L.15, to which the person is not entitled or assistance greater than that
173.23 to which the person is entitled;

173.24 (2) knowingly aids or abets in buying or in any way disposing of the property of a
173.25 recipient or applicant of assistance without the consent of the county agency; or

173.26 (3) obtains or attempts to obtain, alone or in collusion with others, the receipt of payments
173.27 to which the individual is not entitled as a provider of subsidized child care, ~~or, by furnishing~~
173.28 ~~or concurring in offering, providing, soliciting, or receiving illegal remuneration as described~~
173.29 ~~in section 142E.51, subdivision 6a, or in violation of section 609.542, subdivision 2; or by~~
173.30 ~~submitting or aiding and abetting the submission of a willfully false claim for child care~~
173.31 ~~assistance.~~

173.32 (b) The continued receipt of assistance to which the person is not entitled or greater than
173.33 that to which the person is entitled as a result of any of the acts, failure to act, or concealment
174.1 described in this subdivision shall be deemed to be continuing offenses from the date that
174.2 the first act or failure to act occurred.

174.3 Sec. 28. Minnesota Statutes 2024, section 256B.064, subdivision 1a, is amended to read:

174.4 Subd. 1a. **Grounds for sanctions.** (a) The commissioner may impose sanctions against
174.5 any individual or entity that receives payments from medical assistance or provides goods
174.6 or services for which payment is made from medical assistance for any of the following:

439.30 Sec. 11. Minnesota Statutes 2024, section 256.98, subdivision 1, is amended to read:

439.31 Subdivision 1. **Wrongfully obtaining assistance.** (a) A person who commits any of the
439.32 following acts or omissions with intent to defeat the purposes of sections 145.891 to 145.897,
440.1 the MFIP program formerly codified in sections 256.031 to 256.0361, the AFDC program
440.2 formerly codified in sections 256.72 to 256.871, chapter 142G, 256B, 256D, 256I, 256K,
440.3 or 256L, child care assistance programs, and emergency assistance programs under section
440.4 256D.06, is guilty of theft and shall be sentenced under section 609.52, subdivision 3, clauses
440.5 (1) to (5):

440.6 (1) obtains or attempts to obtain, or aids or abets any person to obtain by means of a
440.7 willfully false statement or representation, by intentional concealment of any material fact,
440.8 or by impersonation or other fraudulent device, assistance or the continued receipt of
440.9 assistance, to include child care assistance or food benefits produced according to sections
440.10 145.891 to 145.897 and MinnesotaCare services according to sections 256.9365, 256.94,
440.11 and 256L.01 to 256L.15, to which the person is not entitled or assistance greater than that
440.12 to which the person is entitled;

440.13 (2) knowingly aids or abets in buying or in any way disposing of the property of a
440.14 recipient or applicant of assistance without the consent of the county agency; or

440.15 (3) obtains or attempts to obtain, alone or in collusion with others, the receipt of payments
440.16 to which the individual is not entitled as a provider of subsidized child care, ~~or by furnishing~~
440.17 ~~or concurring in receiving or providing any prohibited payment, as defined in section~~
440.18 ~~609.542, subdivision 2, including a kickback, or by submitting or aiding or abetting the~~
440.19 ~~submission of a willfully false claim for child care assistance.~~

440.20 (b) The continued receipt of assistance to which the person is not entitled or greater than
440.21 that to which the person is entitled as a result of any of the acts, failure to act, or concealment
440.22 described in this subdivision shall be deemed to be continuing offenses from the date that
440.23 the first act or failure to act occurred.

440.24 Sec. 12. Minnesota Statutes 2024, section 256B.064, subdivision 1a, is amended to read:

440.25 Subd. 1a. **Grounds for sanctions.** (a) The commissioner may impose sanctions against
440.26 any individual or entity that receives payments from medical assistance or provides goods
440.27 or services for which payment is made from medical assistance for any of the following:
440.28 (1) fraud, theft, or abuse in connection with the provision of goods and services to recipients
440.29 of public assistance for which payment is made from medical assistance; (2) a pattern of
440.30 presentment of false or duplicate claims or claims for services not medically necessary; (3)
440.31 a pattern of making false statements of material facts for the purpose of obtaining greater
440.32 compensation than that to which the individual or entity is legally entitled; (4) suspension
440.33 or termination as a Medicare vendor; (5) refusal to grant the state agency access during

174.7 (1) fraud, theft, or abuse in connection with the provision of goods and services to
174.8 recipients of public assistance for which payment is made from medical assistance;

174.9 (2) a pattern of presentment of false or duplicate claims or claims for services not
174.10 medically necessary;

174.11 (3) a pattern of making false statements of material facts for the purpose of obtaining
174.12 greater compensation than that to which the individual or entity is legally entitled;

174.13 (4) suspension or termination as a Medicare vendor;

174.14 (5) refusal to grant the state agency access during regular business hours to examine all
174.15 records necessary to disclose the extent of services provided to program recipients and
174.16 appropriateness of claims for payment;

174.17 (6) failure to repay an overpayment or a fine finally established under this section;

174.18 (7) failure to correct errors in the maintenance of health service or financial records for
174.19 which a fine was imposed or after issuance of a warning by the commissioner; and

174.20 (8) any reason for which an individual or entity could be excluded from participation in
174.21 the Medicare program under section 1128, 1128A, or 1866(b)(2) of the Social Security Act.

174.22 (b) For the purposes of this section, goods or services for which payment is made from
174.23 medical assistance includes but is not limited to care and services identified in section
174.24 256B.0625 or provided pursuant to any federally approved waiver.

174.25 (c) Regardless of the source of payment or other item of value, the commissioner may
174.26 impose sanctions against any individual or entity that solicits, receives, pays, or offers to
174.27 pay any illegal remuneration as described in section 142E.51, subdivision 6a, in violation
174.28 of section 609.542, subdivision 2, or in violation of United States Code, title 42, section

440.34 regular business hours to examine all records necessary to disclose the extent of services
441.1 provided to program recipients and appropriateness of claims for payment; (6) failure to
441.2 repay an overpayment or a fine finally established under this section; (7) failure to correct
441.3 errors in the maintenance of health service or financial records for which a fine was imposed
441.4 or after issuance of a warning by the commissioner; (8) soliciting or receiving any
441.5 remuneration as defined in section 609.542, subdivision 3, or United States Code, title 42,
441.6 section 1320a-7b(b)(1), and a criminal conviction is not required; (9) paying or offering to
441.7 pay any remuneration as defined in section 609.542, subdivision 2, or United States Code,
441.8 title 42, section 1320a-7b(b)(2), and a criminal conviction is not required; and ~~(8)~~ (10) any
441.9 reason for which an individual or entity could be excluded from participation in the Medicare
441.10 program under section 1128, 1128A, or 1866(b)(2) of the Social Security Act. For the
441.11 purposes of this section, goods or services for which payment is made from medical
441.12 assistance includes but is not limited to care and services identified in section 256B.0625
441.13 or provided pursuant to any federally approved waiver.

174.29 1320a-7b(b)(1) or (2). No conviction is required before the commissioner can impose
174.30 sanctions under this paragraph.

175.1 ~~(b)~~ (d) The commissioner may impose sanctions against a pharmacy provider for failure
175.2 to respond to a cost of dispensing survey under section 256B.0625, subdivision 13e,
175.3 paragraph (h).

175.4 Sec. 29. Minnesota Statutes 2024, section 256I.04, subdivision 2c, is amended to read:

175.5 Subd. 2c. **Background study requirements.** (a) Effective July 1, 2016, A provider of
175.6 housing support must initiate background studies in accordance with chapter 245C of the
175.7 following individuals: section 245C.03, subdivision 10.

175.8 (1) controlling individuals as defined in section 245A.02;

175.9 (2) managerial officials as defined in section 245A.02; and

175.10 (3) all employees and volunteers of the establishment who have direct contact with
175.11 recipients, or who have unsupervised access to recipients, their personal property, or their
175.12 private data.

175.13 (b) The provider of housing support must maintain compliance with all requirements
175.14 established for entities initiating background studies under chapter 245C. A provider initiating
175.15 a background study pursuant to chapter 245C is not required to initiate a background study
175.16 in accordance with sections 299C.66 to 299C.71 or chapter 364.

175.17 (c) Effective July 1, 2017, a provider of housing support must demonstrate that all
175.18 individuals required to have a background study according to paragraph (a) have a notice
175.19 stating either that:

175.20 (1) the individual is not disqualified under section 245C.14; or

175.21 (2) the individual is disqualified, but the individual has been issued a set aside of the
175.22 disqualification for that setting under section 245C.22.

441.14 (b) The commissioner may impose sanctions against a pharmacy provider for failure to
441.15 respond to a cost of dispensing survey under section 256B.0625, subdivision 13e, paragraph
441.16 (h).

441.17 Sec. 13. Minnesota Statutes 2024, section 256B.12, is amended to read:

441.18 **256B.12 LEGAL REPRESENTATION.**

441.19 The attorney general or the appropriate county attorney appearing at the direction of the
441.20 attorney general shall be the attorney for the state agency, and the county attorney of the
441.21 appropriate county shall be the attorney for the local county agency in all matters pertaining
441.22 hereto. To prosecute under this chapter or sections 609.466 and 609.52, subdivision 2; and
441.23 609.542 or to recover payments wrongfully made under this chapter, the attorney general
441.24 or the appropriate county attorney, acting independently or at the direction of the attorney
441.25 general may institute a criminal or civil action.

175.23 Sec. 30. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:

175.24 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the

175.25 following terms have the meanings given.

175.26 (b) "Judicial official" means:

175.27 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of

175.28 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge

175.29 who resides in Minnesota;

175.30 (2) a justice of the Minnesota Supreme Court;

176.1 (3) employees of the Minnesota judicial branch;

176.2 (4) judicial referees and magistrate judges; and

176.3 (5) current and retired judges and current employees of the Office of Administrative

176.4 Hearings, Department of Human Services Appeals Division, Workers' Compensation Court

176.5 of Appeals, and Tax Court.

176.6 (c) "Personal information" does not include publicly available information. Personal

176.7 information means:

176.8 (1) a residential address of a judicial official;

176.9 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

176.10 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

176.11 (4) the name of any child of a judicial official; and

176.12 (5) the name of any child care facility or school that is attended by a child of a judicial

176.13 official if combined with an assertion that the named facility or school is attended by the

176.14 child of a judicial official.

176.15 (d) "Publicly available information" means information that is lawfully made available

176.16 through federal, state, or local government records or information that a business has a

176.17 reasonable basis to believe is lawfully made available to the general public through widely

176.18 distributed media, by a judicial official, or by a person to whom the judicial official has

176.19 disclosed the information, unless the judicial official has restricted the information to a

176.20 specific audience.

176.21 (e) "Law enforcement support organizations" do not include charitable organizations.

176.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

176.23 Sec. 31. [609.542] ILLEGAL REMUNERATIONS.

176.24 Subdivision 1. **Definition.** For purposes of this section, "federal health care program"
176.25 has the meaning given in United States Code, title 42, section 1320a-7b(f).

176.26 Subd. 2. **Human services program; unauthorized remuneration.** (a) A person who
176.27 intentionally solicits or receives money, a discount, a credit, a waiver, a rebate, a good, a
176.28 service, employment, or anything else of value in return for doing any of the following is
176.29 guilty of a crime and may be sentenced as provided in subdivision 4:

176.30 (1) referring an individual to a person for the furnishing or arranging for the furnishing
176.31 of any item or service for which payment may be made in whole or in part under a federal
177.1 health care program, behavioral health program under chapter 254B, or program under
177.2 chapter 142E;

177.3 (2) purchasing, leasing, ordering, or arranging for or recommending purchasing, leasing,
177.4 or ordering any good, facility, service, or item for which payment may be made in whole
177.5 or in part under a federal health care program, behavioral health program under chapter
177.6 254B, or program under chapter 142E; or

177.7 (3) applying for or receiving any item or service for which payment may be made in
177.8 whole or in part under a federal health care program, behavioral health program under
177.9 chapter 254B, or program under chapter 142E;

177.10 (b) A person who intentionally offers or provides money, a discount, a credit, a waiver,
177.11 a rebate, a good, a service, employment, or anything else of value to induce a person to do
177.12 any of the following is guilty of a crime and may be sentenced as provided in subdivision
177.13 4:

177.14 (1) refer an individual to a person for the furnishing or arranging for the furnishing of
177.15 any item or service for which payment may be made in whole or in part under a federal
177.16 health care program, behavioral health program under chapter 254B, or program under
177.17 chapter 142E;

177.18 (2) purchase, lease, order, or arrange for or recommend purchasing, leasing, or ordering
177.19 any good, facility, service, or item for which payment may be made in whole or in part
177.20 under a federal health care program, behavioral health program under chapter 254B, or
177.21 program under chapter 142E; or

177.22 (3) apply for or receive any item or service for which payment may be made in whole
177.23 or in part under a federal health care program, behavioral health program under chapter
177.24 254B, or program under chapter 142E;

177.25 Subd. 3. **Exceptions.** (a) Subdivision 2 does not apply to any payment, discount, waiver,
177.26 or other remuneration exempted under United States Code, title 42, section 1320a-7b(b)(3),

441.26 Sec. 14. [609.542] HUMAN SERVICES PROGRAMS CRIMES.

441.27 Subdivision 1. **Definition.** For purposes of this section, "federal health care program"
441.28 has the meaning given in United States Code, title 42, section 1320a-7b(f).

442.10 Subd. 3. **Receipt of prohibited payments relating to human services programs.** A
442.11 person is guilty of a crime and may be sentenced as provided in subdivision 5 if the person
442.12 intentionally solicits or receives any remuneration, including any kickback, bribe, or rebate,
442.13 directly or indirectly, overtly or covertly, in cash or in kind:

442.5 (2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing,
442.6 leasing, or ordering of any good, facility, service, or item for which payment may be made
442.7 in whole or in part, or which is administered in whole or in part under a federal health care
442.8 program, state behavioral health program under section 254B.04, or family program under
442.9 chapter 142E;

442.1 (1) to induce that person to apply for, receive, or induce another person to apply for or
442.2 receive an item or service for which payment may be made in whole or in part under a
442.3 federal health care program, state behavioral health program under section 254B.04, or
442.4 family program under chapter 142E; or

441.29 Subd. 2. **Prohibited payments made relating to human services programs.** A person
441.30 is guilty of a crime and may be sentenced as provided in subdivision 5 if the person
441.31 intentionally offers or pays any remuneration, including any kickback, bribe, or rebate,
441.32 directly or indirectly, overtly or covertly, in cash or in kind, to another person:

442.18 (2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing,
442.19 leasing, or ordering of any good, facility, service, or item for which payment may be made
442.20 in whole or in part under a federal health care program, state behavioral health program
442.21 under section 254B.04, or family program under chapter 142E;

442.14 (1) in return for applying for or receiving a human services benefit, service, or grant for
442.15 which payment may be made in whole or in part under a federal health care program, state
442.16 behavioral health program under section 254B.04, or family program under chapter 142E;
442.17 or

442.22 Subd. 4. **Exemptions.** (a) This section does not apply to remuneration exempted under
442.23 the Anti-Kickback Statute, United States Code, title 42, section 1320a-7b(b)(3), or payment

177.27 or payment made under a federal health care program that is exempt from liability by United
177.28 States Code, title 42, section 1001.952.

177.29 (b) For actions involving a program under chapter 142E, subdivision 2 does not apply
177.30 to:

177.31 (1) any amount paid by an employer to a bona fide employee for providing covered
177.32 items or services under chapter 142E while acting in the course and scope of employment;
177.33 or

178.1 (2) child care provider discounts, scholarships, or other financial assistance to families
178.2 allowed under section 142E.17, subdivision 7.

178.3 Subd. 4. **Penalties.** An individual who violates subdivision 2 may be sentenced as
178.4 follows:

178.5 (1) imprisonment of not more than 20 years or payment of a fine of not more than
178.6 \$100,000, or both, if the value of any money, discount, credit, waiver, rebate, good, service,
178.7 employment, or other thing of value solicited, received, offered, or provided exceeds \$35,000;

178.8 (2) imprisonment of not more than ten years or payment of a fine of not more than
178.9 \$20,000, or both, if the value of any money, discount, credit, waiver, rebate, good, service,
178.10 employment, or other item of value solicited, received, offered, or provided is more than
178.11 \$5,000 but not more than \$35,000; or

178.12 (3) imprisonment for not more than five years or payment of a fine of not more than
178.13 \$10,000, or both, if the value of any money, discount, credit, waiver, rebate, good, service,
178.14 employment, or other item of value solicited, received, offered, or provided is not more
178.15 than \$5,000.

178.16 Subd. 5. **Aggregation.** In a prosecution under this section, the value of any money,
178.17 discount, credit, waiver, rebate, good, service, employment, or other item of value solicited,

442.24 made under a federal health care program which is exempt from liability by United States
442.25 Code, title 42, section 1001.952.

442.26 (b) This section does not apply to:

442.27 (1) any amount paid by an employer to a bona fide employee for providing covered
442.28 items or services under chapter 142E while acting in the course and scope of employment;
442.29 or

442.30 (2) child care provider discounts, scholarships, or other financial assistance to families
442.31 allowed under section 142E.17, subdivision 7.

442.32 Subd. 5. **Sentence.** (a) A person convicted under subdivision 2 or 3 may be sentenced
442.33 pursuant to section 609.52, subdivision 3.

443.1 (b) For purposes of sentencing a violation of subdivision 2, "value" means the fair market
443.2 value of the good, facility, service, or item that was obtained as a direct or indirect result
443.3 of the prohibited payment.

443.4 (c) For purposes of sentencing a violation of subdivision 3, "value" means the amount
443.5 of the prohibited payment solicited or received.

443.6 (d) As a matter of law, a claim for any good, facility, service, or item rendered or claimed
443.7 to have been rendered in violation of this section is noncompensable and unenforceable at
443.8 the time the claim is made.

443.9 Subd. 6. **Aggregation.** In a prosecution under this section, the value of the money,
443.10 property, or benefit received or solicited by the defendant within a six-month period may

178.18 received, offered, or provided within a six-month period may be aggregated and the defendant
178.19 charged accordingly. When two or more offenses are committed by the same person in two
178.20 or more counties, the accused may be prosecuted in any county in which one of the offenses
178.21 was committed for all of the offenses aggregated under this subdivision.

178.22 Subd. 6. **False claims.** In addition to the penalties provided in this section, a claim, as
178.23 defined in section 15C.01, subdivision 2, that includes items or services resulting from a
178.24 violation of this section constitutes a false or fraudulent claim for purposes of section 15C.02.

178.25 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
178.26 committed on or after that date.

178.27 Sec. 32. Laws 2023, chapter 70, article 7, section 34, the effective date, is amended to
178.28 read:

178.29 **EFFECTIVE DATE.** This section is effective ~~for background studies requested on or~~
178.30 ~~after August 1, 2024~~ the day following final enactment.

179.1 Sec. 33. **MODIFICATION OF DEFINITIONS.**

179.2 (a) For the purposes of implementing the provider licensing and reporting hub, the
179.3 commissioner of human services may modify definitions in Minnesota Statutes, chapters
179.4 142B, 245A, 245D, 245F, 245G, and 245I, and Minnesota Rules, chapters 2960, 9502,
179.5 9520, 9530, 9543, 9555, and 9570. Definitions changed pursuant to this section do not affect
179.6 the rights, responsibilities, or duties of the commissioner; the Department of Human Services;
179.7 programs administered, licensed, certified, or funded by the commissioner; or the programs'
179.8 employees or clients.

179.9 (b) Notwithstanding Laws 1995, chapter 226, article 3, sections 50, 51, and 60, or any
179.10 other law to the contrary, the joint rulemaking authority with the commissioner of corrections
179.11 under Minnesota Rules, chapter 2960, does not apply to rule amendments applicable only
179.12 to the Department of Human Services. A rule that is amending jointly administered rule
179.13 parts must be related to requirements on the provider licensing and reporting hub.

179.14 (c) This section expires August 31, 2028.

179.15 Sec. 34. **REPEALER.**

179.16 (a) Minnesota Statutes 2024, section 245A.11, subdivision 8, is repealed.

179.17 (b) Minnesota Statutes 2024, section 245A.042, subdivisions 2, 3, and 4, are repealed.

179.18 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2025.

443.11 be aggregated and the defendant charged accordingly in applying the provisions of
443.12 subdivision 5.

443.13 Subd. 7. **False claims.** In addition to the penalties provided for in this section, a claim,
443.14 as defined in section 15C.01, subdivision 2, that includes items or services resulting from
443.15 a violation of this section constitutes a false or fraudulent claim for purposes of section
443.16 15C.02.

443.17 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
443.18 committed on or after that date.

443.19 Sec. 15. Laws 2023, chapter 70, article 7, section 34, the effective date, is amended to
443.20 read:

443.21 **EFFECTIVE DATE.** This section is effective ~~for background studies requested on or~~
443.22 ~~after August 1, 2024~~ the day following final enactment.

443.23 Sec. 16. **MODIFICATION OF DEFINITIONS.**

443.24 For the purposes of implementing the provider licensing and reporting hub, the
443.25 commissioner of human services may modify definitions in Minnesota Statutes, chapters
443.26 142B, 245A, 245D, 245F, 245G, and 245I, and Minnesota Rules, chapters 2960, 9502,
443.27 9520, 9530, 9543, 9555, and 9570. Definitions changed pursuant to this section do not affect
443.28 the rights, responsibilities, or duties of the commissioner; the Department of Human Services;
443.29 programs administered, licensed, certified, or funded by the commissioner; or the programs'
443.30 employees or clients. This section expires August 31, 2028.

444.1 Sec. 17. **REPEALER.**

444.2 Minnesota Statutes 2024, section 245A.11, subdivision 8, is repealed.

444.3 **EFFECTIVE DATE.** This section is effective August 1, 2025.