

245E.06 ADMINISTRATIVE SANCTIONS.

Subdivision 1. **Factors regarding imposition of administrative sanctions.** (a) The department shall consider the following factors in determining the administrative sanctions to be imposed:

- (1) nature and extent of financial misconduct;
 - (2) history of financial misconduct;
 - (3) actions taken or recommended by other state agencies, other divisions of the department, and court and administrative decisions;
 - (4) prior imposition of sanctions;
 - (5) size and type of provider;
 - (6) information obtained through an investigation from any source;
 - (7) convictions or pending criminal charges; and
 - (8) any other information relevant to the acts or omissions related to the financial misconduct.
- (b) Any single factor under paragraph (a) may be determinative of the department's decision of whether and what sanctions are imposed.

Subd. 2. MS 2020 [Repealed, 1Sp2019 c 9 art 1 s 43]

Subd. 3. **Appeal of department action.** A provider's rights related to the department's action taken under this chapter against a provider are established in sections 119B.16 and 119B.161.

Subd. 4. MS 2020 [Repealed, 1Sp2019 c 9 art 1 s 43]

Subd. 5. MS 2020 [Repealed, 1Sp2019 c 9 art 1 s 43]

History: 2013 c 108 art 5 s 5; 2015 c 78 art 4 s 47,48; 1Sp2019 c 9 art 1 s 18, 43