

Proposal Title	RF 26-06084 Section	MN Stat Section	Section Description
IG-37: Waiving Notice to Customer When Under Investigation	1	13A.03	Allows DHS to delay notification to a customer without a court order if notification would compromise the integrity of a current and ongoing criminal investigation
IG-33: Program Integrity Returning and Cleanup	2	245.095, subd 2	<u>Clarifying definition of “excluded” in 245.095.</u> Clarifying change to align 245.095 with a background study disqualification to address fraud added in 2025.
IG-33: Program Integrity Returning and Cleanup	3	245.095, subd 5	<u>Expanding Payment Withhold Authority.</u> Expands DHS ability to withhold payment to a provider if (2) they are convicted of a crime involving theft from another state or federal agency (3) there is a suspension or revocation of the provider’s license or (4) has a background study disqualification under 245C.15.
IG-24: DHS Licensing Policy	4	245A.02, subd 13	<u>Clarify definition of related individuals.</u> Adds “cousin” and an in-law to the definition of related individuals in 245A.02.
IG-24: DHS Licensing Policy	5	245A.03, subd 2	<u>Clarify definition of related individuals.</u> Allows programs licensed prior to July 1, 2026 to operate under the previous definition.
IG-20: Change in Ownership Alignment	6	245A.043, subd 2	Strikes paragraph (b) which states a change of ownership has not occurred if at least one controlling individual has been affiliated for the previous 12 months.

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IG-20: Change in Ownership Alignment	7	245A.043, subd 2a	Conforming change with section 6.
IG-24: DHS Licensing Policy	8	245A.07, subd 2a	<u>Clarifying Temporary Immediate Suspension provisions.</u> Allows DHS to immediately act to suspend a license if the license holder or controlling individual is under administrative, civil or criminal investigation for fraud.
IG-24: DHS Licensing Policy	9	245A.07, subd 3	<u>Clarifying Temporary Immediate Suspension provisions.</u> Conforming change with section 8.
IG-24: DHS Licensing Policy	10	245A.10, subd 4	<u>HCBS renewal fee clean-up.</u> Adds “or equal to” to the annual revenue for some fees to align with the rest of the section.
IG-24: DHS Licensing Policy	11	245A.142, subd 3	<u>EIDBI licensing fee clean-up.</u> Adds that applications for the EIDBI provisional license are subject to the \$2,100 application fee.
IG-23: SUD and Mental Health Policy	12	245A.242, subd 2	Eliminates the requirement for a standing order for nasal spray opiate antagonists in SUD, Children’s Residential Facilities CRF, detoxification, withdrawal management, and IRTS/RCS.
IG-01: Background Studies Disqualification Changes	13	245C.02, subd 18	Adds financial exploitation of a vulnerable adult for \$1,000 or greater to the definition of serious maltreatment.

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IG-03: Background Studies Clean-Up and Technical Changes	14	245C.03, subd 1	<u>Provider Type Clarification</u> . Adds Child Foster Residence Settings, formerly referred to as cooperate Child Foster Care.
IG-02: Child and Adult Foster Care and Adult Day Services Requiring New Fingerprint-Based Studies in NS2	15	245C.04, subd 1	Strikes outdated language related to child care. Adds language requiring individuals currently affiliated child and adult foster care who do not have a NETStudy2.0 background study to have a background study submitted in NETStudy2.0.
IG-16: Background Studies Federal Compliance	16	245C.07	Strikes language stating that child foster care background studies are transferable across all programs.
IG-16: Background Studies Federal Compliance	17	245C.13, subd 2	Clarifies that certain child care background study subjects cannot work under supervision while a background study is in process and cannot work until DHS has received a qualifying result.
IG-01: Background Studies Disqualification Changes	18	245C.15, subd 2	Adds to the list of 15-year background study disqualifications, 609.2334 (violation of an order for protection against financial exploitation of a vulnerable adult) and 609.542 (illegal remunerations).
IG-01: Background Studies Disqualification Changes	19	245C.15, subd 3	Adds to the list of 10-year background study disqualifications, 609.2334 (violation of an order for protection against financial exploitation of a vulnerable adult) and 609.746 (interference with privacy).

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IG-01: Background Studies Disqualification Changes	20	245C.15, subd 4	Adds to the list of 7-year background study disqualifications, 609.2334 (violation of an order for protection against financial exploitation of a vulnerable adult).
IG-01: Background Studies Disqualification Changes	21	245C.15, subd 4a	Clarifies that two and five year disqualifications do not apply to licensed family foster background studies.
IG-02: Child and Adult Foster Care and Adult Day Services Requiring New Fingerprint-Based Studies in NS2	22	245C.22, subd 5	Conforming change with section 15, updates paragraph reference.
IG-03: Background Studies Clean-Up and Technical Changes	23	245C.24, subd 2	<u>Variance prohibition correction</u> . Removes language prohibiting a set-aside or variance or set aside for foster residence and children’s residential facilities.
IG-24: DHS Licensing Policy	24	245D.04, subd 3	<u>HCBS clarifying fixes</u> . Clarifies that 245D resident rights related to the safety and condition of the residence cannot be waived.
IG-24: DHS Licensing Policy	25	245D.10, subd 4	<u>HCBS clarifying fixes</u> . Aligns with the positive supports rule. Clarifies that 245D license holders must maintain and share their emergency use of manual restraints policy and procedures with a person or their legal representative and their case manager.

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IG-36: Adding Definition of “Fraud” to 256B	26	256B.02, new subd 20	Adds a definition of fraud into 256B.
IG-33: Program Integrity Returning and Cleanup	27	256B.04, subd 10	<u>Pre-payment review authority clarification.</u> Clarifies DHS authority to conduct pre and post payment review of claims.
IG-33: Program Integrity Returning and Cleanup	28	256B.064, subd 2	<u>Exception for DHS from Minn. Stat. 15.013.</u> Clarifies that a payment withhold is temporary action and not subject to a contested case under chapter 14 or 256.045. Exempts DHS from 15.013.
IG-35: Expanding Authority for Increased On-site Investigation Visits	29	256B.27, subd 3	Allows DHS to conduct on-site visits of Medicaid providers prior to them billing.
IG-24: DHS Licensing Policy	30	260E.03, subd 6	<u>Repeal DHS as lead investigative agency for PRTFs.</u> Adds PRTF to the definition of “Facility” in 260E.03.
IG-24: DHS Licensing Policy	31	260E.11, subd 1	<u>Repeal DHS as lead investigative agency for PRTFs.</u> Requires that reports of child maltreatment in a PRTF go to MDH.
IG-24: DHS Licensing Policy	32	260E.14, subd 1	<u>Repeal DHS as lead investigative agency for PRTFs.</u> Updates Maltreatment of Minors Act. Clarifies that MDH not DHS is the lead investigative agency for reports of maltreatment in PRTF.

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IG-24: DHS Licensing Policy	33	626.5572, subd 13	<u>Repeal DHS as lead investigative agency for PRTFs.</u> Updates mandatory reporter statute to clarify that MDH not DHS is the lead investigative agency for reports of maltreatment in PRTF.
IG-02: Child and Adult Foster Care and Adult Day Services Requiring New Fingerprint-Based Studies in NS2	34	Session Law	Requires individuals affiliated with an adult child or adult foster care setting to have a background study completed in NETStudy 2.0 by March 1, 2027.
IG-20: Change in Ownership Alignment	35	Repealer	245A.02, subdivision 10b (proposal removed, remove in author's amendment), 245A.02, subdivision 10b (change of ownership alignment, 9505.2165 (definition of fraud)