

HOUSE RESEARCH

Bill Summary

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Overview

This bill addresses reconsideration of correction orders, suspension of licenses, and the appeals process for home care providers. The bill requires, among other things, the involvement of an administrative law judge for appeals by a licensee to sanctions and temporary suspensions of licenses.

Section

- 1** **Reconsideration.** Amends § 144A.474, subdivision 12. Requires a written request for reconsideration of a correction order to be received by the commissioner of health within 15 calendar days of the correction order issuance date. Specifies that this subdivision does not apply to temporary licensees.

Effective date. The effective date takes the implementation period into consideration so that all licensees will be covered by the section by 2015.
- 2** **Notice.** Amends § 144A.475, subdivision 3. Changes the requirement for the commissioner to suspend a license to the determination of a Level 3 or Level 4 violation instead of a determination that the health or safety of a consumer is in imminent danger. Under § 144A.474, subdivision 11, paragraph (b), a Level 3 violation is one that endangers the client's health or safety, not including serious injury, impairment or death, or a violation that has the potential to lead to serious injury, impairment or death, and a Level 4 violation is one that results in serious injury, impairment, or death.

Effective date. The effective date takes the implementation period into consideration so that all licensees will be covered by the section by 2015.

Section

3 **Hearing.** Amends § 144A.475 by adding subdivision 3a. Requires the commissioner to request assignment of an administrative law judge within 15 days of receiving a licensee's appeal of sanctions and lists applicable procedures.

Effective date. This section is effective for appeals received on or after August 1, 2014.

4 **Temporary suspension expedited hearing.** Amends § 144A.475 by adding subdivision 3b. Requires the commissioner to request assignment of an administrative law judge within five business days of receiving a licensee's timely appeal of a temporary suspension and lists applicable procedures.

Effective date. This section is effective August 1, 2014.