

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill modifies adverse licensing actions that can be taken by the commissioner of human services. It creates a method for initiating and making settlement agreements.

#### Section

**1 Correction orders and conditional licenses for programs licensed as home and community-based services.** Amends § 245A.06, by adding subdivision 1a. Paragraph (a) requires the commissioner to limit adverse licensing actions to the service site at which the licensing violations occurred unless the commissioner articulates a basis for applying the adverse action to other sites.

Paragraph (b) provides that if a license holder has been issued more than one license, adverse action must be limited to the license for the program at which the licensing violations occurred if other programs, for which there are separate licenses, are being operated in substantial compliance with law and rules.

**2 Settlement agreement.** Creates § 245A.081. Paragraph (a) allows a license holder or the commissioner to initiate a discussion about a possible settlement agreement related to an adverse licensing action. Provides that if the parties enter into a settlement agreement, then the agreement constitutes a full agreement between the parties. Requires the agreement to identify the actions the license holder has taken or will take to remedy the violation.

Paragraph (b) provides that neither party is required to initiate a settlement discussion.

**Section**

Paragraph (c) requires the commissioner to respond within 14 days to a settlement request.

Paragraph (d) allows the commissioner to withdraw from settlement agreement negotiations at any time.