

Requesting Reconsideration of Correction Orders

LICENSED ASSISTED LIVING PROVIDERS

Statute

[Section 144G. 32 Subdivision 1-2 – Reconsideration of Correction Orders and Fines.](https://www.revisor.mn.gov/statutes/cite/144G.32)
(<https://www.revisor.mn.gov/statutes/cite/144G.32>)

Overview

Following a home care license survey, if the licensed assisted living provider disagrees with the Minnesota Department of Health’s (MDH) findings the provider may request MDH reconsider the correction orders, including the level and/or the scope and any fine assessed. During the review, MDH will post information on its website that the licensee has requested reconsideration and a decision is pending. During the reconsideration, providers are still responsible to correct deficiencies found on survey.

Process

1. Following a survey, MDH emails correction orders to the provider’s agent as listed with MDH.
2. To request that MDH reconsider correction order(s), the provider must:
 - a. Make the request in writing;
 - b. List the order(s) disagreed with;
 - c. Include the reasons the provider disagrees with MDH’s decision for each order challenged;
 - d. Provide documents to support this position;
 - e. Scan the request, list of reasons and supporting documents;
 - f. Send the scanned information to MDH at health.homecare@state.mn.us.
3. MDH must receive the request and supporting documentation within 15 calendar days of the date the orders were emailed by MDH.
4. The reconsideration is reviewed by MDH survey staff who did not participate in the survey.
5. MDH responds in writing to the provider within 60 days of the request. The response will identify MDH’s decision regarding each order challenged by the provider.

Additional information

- The reconsideration may be conducted in person, by phone, by electronic form, or in writing.
- If the findings are changed by MDH, the website is updated to reflect the change.

State Evaluations
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<https://www.health.state.mn.us/facilities/regulation/assistedliving/index.html>

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To obtain this information in a different format, call 651-201-4200.