

Licensing Division Adult Day Care Pre-Application

Thank you for your interest in applying for an adult day care license under Minnesota Rule 9555. This application worksheet will provide you with information regarding the adult day care license, the applicable licensing requirements, instructions for completing and submitting the application, additional required materials, and paying the required license application fee. If you have any questions or concerns, please contact the DHS helpdesk at 651-431-6624 and request to speak with an Adult Day Care licensor.

Step 1: Application

You can find the application form on the [Minnesota Department of Human Services Adult Day Center's website](#). This application must be filled out completely, addressing all areas of the application. Please note that incomplete applications will not be processed and will result in a Notice of Incomplete Application.

Along with the completed application form, you must also submit the following documents with your application:

- Applicant agreement and acknowledgement form
 - The form is attached to the license application. This must be completed and signed by the authorized agent identified on the application.
- Workers compensation verification form
 - This form can be found here: <http://www.dli.mn.gov/sites/default/files/pdf/mnlic04.pdf>
- Organizational chart
 - This organizational chart must identify the individual positions and the names of the people in those positions.
- License application fee
 - You must submit the \$500 license application fee with your application packet. This fee is nonrefundable.

Step 2: Application addendum

You will find the application addendum located at the end of the application form. This must be completed and submitted with your application.

1. Ages served: Please ensure ages listed on this addendum form are also indicated throughout your program's Program Abuse Prevention Plan, and description of the population served by center.

2. Gender served: You must indicate which gender(s) your program will serve. Please note this must also be indicated within your programs Program Abuse Prevention Plan, and description of the population served by center.
3. Requested capacity: You must indicate the maximum number of people your program intends on serving at one time.
 - a. The total indoor space available for use by participants must equal at least 40 square feet for each day care participant and each day care staff member present at the center. This will be cross referenced with your program's floor plan and square footage totals. Please note the following areas that cannot be counted when determining square footage:
 - i. hallways, stairways, closets, offices, restrooms, and utility and storage areas;
 - ii. more than 25 percent of the space occupied by equipment used by participants or staff; or
 - iii. in a multifunctional organization, any space occupied by persons associated with the multifunctional organization while participants are using common space.
4. Days and hours of operation: You must indicate the days and hours of operation of your program. Please ensure the following policies and forms also show the same days and hours of operation:
 - a. program's menu;
 - b. program's activity calendar; and
 - c. policy on providing meals and snacks.

Step 3: Required program records policies

You must develop and submit the program records, forms and policies listed on page 2 of the application addendum form. You can find sample policies and procedures [on the DHS adult day services website](#). All policies and procedures found on the DHS website are free to use. All policies will be reviewed for compliance by your assigned licensor.

Please note, if policies and procedures are not submitted or they are found to be noncompliant with required rules and or statutes, your application will be considered incomplete.

Step 4: Food services

You must develop and submit menus for the snacks and meals that will be offered to participants. The menus must match the snacks and meals that have been indicated on the application addendum. In addition, you must submit proof that a registered dietician has reviewed and approved the menu(s). You must also submit the following information for your registered dietician:

1. a copy of a signed contract or letter of appointment specifying conditions and terms of employment; and
2. documentation that the person under contract meets any licensure, registration, or certification requirements required to perform the services specified in the contract.

Step 5: Health services

You must submit a plan for the health services that will be offered, including:

1. monitoring participants' health status and reporting changes to the participant's caregiver and physician and the center director;
2. educating and counseling participants on good health practices;
3. maintaining a listing of professional health resources available for referrals as needed by participants;
4. developing policies and monitoring procedures for participant self-administration of medications for training unlicensed personnel who provide medication assistance; and
5. supervising staff distribution of medication and assistance with participant self-administration of medication and ensuring compliance with part [9555.9680](#), subpart 2, item C.

The health services must be developed in consultation with a registered nurse. You must also submit the daily structured exercise program that will be offered to participants. The structured exercise program must be developed in consultation with a registered physical therapist.

You must also submit the following information for your registered nurse and registered physical therapist:

6. a copy of a signed contract or letter of appointment specifying conditions and terms of employment; and
7. documentation that the person under contract meets any licensure, registration, or certification requirements required to perform the services specified in the contract.

Step 6: Submitting your program's floor plan

You must submit a facility floor plan that verifies the physical plant and space requirements. You must indicate the square footage totals for each area. As a reminder, the following areas cannot be included when determining the square footage of your program:

1. hallways, stairways, closets, offices, restrooms, and utility and storage areas;
2. more than 25 percent of the space occupied by equipment used by participants or staff; or
3. in a multifunctional organization, any space occupied by persons associated with the multifunctional organization while participants are using common space.

All floor plans will be verified at the time of the facility walkthrough. See step 8

Step 7: Submitting your complete application

Once you have completed the licensing application form, application addendum and other requirements, you must submit your completed application. The address can be found on page 3 of the application form. Please print and retain a copy for your records.

Once the application is received by DHS, your application will be assigned to a DHS licensor who will review the application and required materials. If the application is determined to be incomplete, the authorized agent will receive a Notice of Incomplete Application. The license holder will then have 45 days to submit all requested information, otherwise the application will be withdrawn as stated in [Minnesota Statutes chapter 245A.04, subdivision 1](#).

Step 8: Inspections

Upon receiving the application, DHS will send a zoning letter to the city that the program is located in. The city has 30 days to respond to the zoning letter. If DHS does not receive a response from the city, the space is considered approved for zoning purposes. If the city does not approve the space for the intended purpose, DHS will not proceed with the application process until proper approval is received.

It should be noted, any construction that needs to take place on your facility should be completed prior to applying. Your assigned licensor will not schedule a walkthrough until all inspections have passed.

A DHS licensor will contact the authorized agent via email to provide an interagency request for fire inspection, building inspection and health inspection. Please ensure the authorized agent email address provided in the application is correct.

It is the responsibility of the applicant to ensure all inspections are initiated and completed as required. It should be noted that your application will not be considered complete until all inspections have been conducted and the facility meets requirements.

Step 9: Facility walkthroughs

Once your application is complete and all inspection forms have been submitted to your licensor, the facility inspection will be scheduled.

During the facility walkthrough, your licensor will review all physical plant and space requirements found in [Minnesota Rule 9555.9730](#). This includes verification that all furnishings are in place, all activity materials are purchased and available for review and your program is ready for operation.

Your licensor will also be inquiring about your program practices and how your program will operate to ensure competency of the adult day services regulations. The center director must show competency in understanding all requirements found in [Minnesota Rule 9555.6000—9555.9730](#).

Step 10: License application evaluation

Applications are processed according to the requirements in section [245A.04](#). Once your application, inspections and facility walkthrough is complete, the license application evaluation will begin.

- a. DHS has 90 working days after receipt of a complete application to act on the application. A complete application includes:
 - i. all required documentation required in the application;
 - ii. all required program policies;
 - iii. all required program records;
 - iv. completed and approved state and local inspections;
 - v. completed facility walkthrough with your programs center director and DHS licensor;
and
 - vi. cleared background studies for all controlling individuals and center director.
- b. If the Commissioner determines that your application complies with all applicable rules and laws, a license will be issued.
- c. If your application is denied, you will be informed at the time of your right to appeal the denial.

Under no circumstance will DHS issue a license before the completion of the application evaluation or before required background studies have been submitted and cleared. A decision by DHS to issue a license does not guarantee that any person or persons will be admitted to or receive services from a license program.