

June 9, 2025

VIA EFILING ONLY

Kevin Slator
Minnesota Department of Human Services
444 Lafayette Rd
Saint Paul, MN 55155
kevin.slator@state.mn.us

Re: *In the Matter of the Proposed Repeal of Obsolete Rules of the Minn. Dept. of Human Services, Minn. R. 9555.7100; 9555.7200; 9555.7300; 9555.7600; 9543.0070, subp. 1, item B; 9555.5515, item N; and 9555.5705, subp. 3, item D*
OAH 23-9029-40660; Revisor R-4917

Dear Kevin Slator:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.3895** in the above-entitled matter. The rules have been approved as to legality.

The Office of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Department of Human Services can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. The Office of Administrative Hearings will request copies of the repealed rules from the Revisor's office. Our office will then file the repealed rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the agency for its rulemaking record. The Department will then request the Notice of Repealer from the Revisor's office. In accordance with Minn. Stat. § 14.27, the repeal of rule will be effective five working days after the Notice of Repealer is published in the State Register.

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



NICHOLE SLETTEN
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Ryan Inman

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Repeal of Obsolete Rules of the Minn. Dept. of Human Services, Minn. R. 9555.7100; 9555.7200; 9555.7300; 9555.7600; 9543.0070, subp. 1, item B; 9555.5515, item N; and 9555.5705, subp. 3, item D	OAH Docket No. 23-9029-40660 Revisor 4917
--	--

On June 9, 2025, a true and correct copy of the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.3895** was served by electronic mail, unless otherwise indicated below, addressed to the following individuals:

VIA EFILING ONLY

Kevin Slator
Minnesota Department of Human
Services
444 Lafayette Rd
Saint Paul, MN 55155
kevin.slator@state.mn.us

VIA EMAIL ONLY

Legislative Coordinating Commission
lcc@lcc.leg.mn

VIA EMAIL ONLY

Ryan Inman
Office of the Revisor of Statutes
ryan.inman@revisor.mn.gov
jason.kuenle@revisor.mn.gov
cindy.maxwell@revisor.mn.gov
traci.olinger@revisor.mn.gov

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.3895**

This matter came before Administrative Law Judge Suzanne Todnem upon the Department of Human Services's (Department) request for a legal review of its proposed repeal of obsolete rules under Minn. Stat. § 14.3895 (2024).

On May 30, 2025, the Department filed documents with the Office of Administrative Hearings seeking review and approval of the form and legality of its repeal of obsolete rules. The Department included all required documentation in support of the repeal.

Upon review, the Administrative Law Judge finds that all procedural requirements were met and that all notice was provided, including the notices required by the order approving the Department's Notice Plan issued on March 4, 2025.

Therefore, based upon a review of the written submissions by the Department, and all the documents in the rulemaking record

IT IS HEREBY ORDERED THAT:

The proposed repeal of rules is **APPROVED** as to form and legality, and the Department may publish the final rule in the *State Register*.

Dated: June 9, 2025


SUZANNE TODNEM
Administrative Law Judge

**VIA EFILING**

May 30, 2025

The Honorable Judge Suzanne Todnem
Administrative Law Judge
Court of Administrative Hearings

RE: In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D; Revisor's ID No. R-04917; OAH Docket No. 23-9029-40660

Dear Judge Todnem:

The Minnesota Department of Human Services proposes to repeal obsolete rules relating to investigation and reporting of maltreatment of vulnerable adults. This letter requests that the Court of Administrative Hearings review and approve the repeal of these rules under Minnesota Statutes, section 14.3895.

Enclosed are the documents required under Minnesota Rules, part 1400.2410, subpart 2, items A to K. Paragraphs A to K of this letter are keyed to items A to K of part 1400.2410. Unless otherwise stated, the document is enclosed.

- A. Enclosed: the proposed repealer, including the Revisor's approval.
- B. Enclosed: the Notice of Intent to Repeal Obsolete Rules as mailed and published in the *State Register* on March 24, 2025 (excerpt).
- C. Enclosed: Certificate of Mailing the Notice of Intent to Repeal Obsolete Rules to the Rulemaking Mailing List & Certificate of Accuracy of the Mailing List;
- D. (D-1) Certificate of Emailing Notice of Intent to Repeal Obsolete Rules (with list of recipients, adult protection supervisors and managers who subscribe to the DHS Adult Protection communications); (D-2) Certificate of updating DHS Rulemaking Docket

website and Emailing Notice of Intent to Repeal Obsolete Rules to the Maria King and OHFC; and (D-3) Certificate of Sending Notice to Legislators (with list of recipients).

- E. Enclosed: all written comments and submissions on the proposed repeal of obsolete rules. The Department received only one submission, a question regarding what portions of Minn. Stat. Secs. 626.557 and 626.5572 would become obsolete as a results of the Department obsolete rules repeal. A response (enclosed) was sent clarifying that only certain rules would be repealed, not statutes, and which rules would be affected. No changes were needed to the obsolete rules based on the comment.
- F. Not enclosed: the Notice of Withdrawal of Hearing Requests and related documents because no hearing requests were received.
- G. Enclosed: a copy of the adopted rules dated March 24, 2025, without modifications.
- H. Not enclosed: a Notice of Adopting Substantially Different Rules because the Department did not adopt substantially different rules.
- I. Enclosed: the unsigned Order Adopting Rules that complies with Minnesota Rules, part 1400.2090.
- J. Not enclosed: a Notice of Submission of Rules to the Court of Administrative Hearings and related documents because no one requested to be notified of the submission.
- K. Not enclosed: any other document or evidence because the Department is not required to submit any other document or evidence.

Note, a copy of the Department's 2024 obsolete rules report, containing the obsolete rules in this matter, was previously filed with the Court on February 25, 2025.

If you have any questions or concerns, please contact me at kevin.slator@state.mn.us, or 651/431-3101.

Sincerely,

Kevin T. Slator

Kevin T. Slator
Rulemaking Attorney

RE: In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D; Revisor's ID No. R-04917; OAH Docket No. 23-9029-40660

ATTACHED ITEMS

- Item A Revisor's draft RD4917 dated 2/20/25

- Item B Notice of Intent to Repeal Obsolete Rules as published in 3/24/25 State Register

- Item C Certificate of Accuracy (as of 3/21/25) of DHS Mailing List, as required under Minnesota Statutes, section 14.14, subdivision 1a

- Item D-1 Certificate of Emailing Notice of Intent to Repeal Obsolete Rules to list of adult protection supervisors and managers who subscribe to DHS Adult Protection communications

- Item D-2 Certificate of (1) updating DHS's Rulemaking Docket website to include information and documents related to this rule repeal, and (2) emailing notice of this rule repeal to the Minnesota Department of Health's Office of Health Facility Complaints (OHFC) and Director Maria King

- Item D-3 Certificate of emailing notice of this rule repeal to the chairs and ranking minority members in the Minnesota legislature with jurisdiction over the subject matter of this rule repeal

- Item E One comment received in response to publication of Notice of Intent to Repeal Obsolete Rules in 3/24/25 State Register

- Item G Revisor's draft AR4917 dated 3/24/25

- Item I Proposed Order Adopting Rules

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

Item A

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600~~; and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident ~~under~~
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Repeal of Obsolete Rules

AGENCY: Department of Human Services

REVISOR ID: R-4917

MINNESOTA RULES: Chapters 9543 and 9555

The attached rules are approved for
publication in the State Register

A handwritten signature in black ink, appearing to read "Alex Willi", is written over a horizontal line.

Alex Willi
Assistant Revisor

Proposed Rules

Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Human Services

Proposed Repeal of Obsolete Rules; Notice of Intent to Repeal Obsolete Rules

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor’s ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on May 23, 2025**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults, and include all rules under “Protective Services to Vulnerable Adults,” *Minnesota Rules*, parts 9555.7100-.7600.

Proposed Rules

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under Minnesota Statutes section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in Minnesota Statutes, section 14.3895. The initial statutory authority under which these rules were created is found in Minnesota Statutes, sections 393.07, 256.01, 245A.09, and 626.557, which give the Commissioner of Human Services the authority to make rules relating to investigation of reports alleging that a vulnerable adult has been abused or neglected, requiring a record for a residence licensed as an adult foster home, and developing an individual abuse prevention plan.

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on May 23, 2025**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above.

All comments or responses received are public data and will be available for review on the Agency's rulemaking website at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>.

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on May 23, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Proposed Rules

Date: 3/18/25

Kevin Slator
Rulemaking Attorney (for the Commissioner of Human Services)

9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.

Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If an agency receives a complaint alleging abuse or neglect of persons served by a program, the agency shall follow the procedures in items A to C.

[For text of item A, see Minnesota Rules]

B. The agency shall cooperate with the county child or adult protection unit as requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~ Minnesota Statutes, chapter 260E, or section 626.557.

[For text of item C, see Minnesota Rules]

[For text of subparts 2 to 5, see Minnesota Rules]

9555.5515 RECORD ON THE RESIDENCE.

A record for the residence licensed as an adult foster home shall be maintained by the commissioner and contain:

[For text of items A to M, see Minnesota Rules]

N. a record of any substantiated complaints of maltreatment as defined in Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under parts 9555.7100 to 9555.7600~~; and

[For text of item O, see Minnesota Rules]

9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS OF ADULT FOSTER HOMES.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 3. **Placement review for residents with an individual service plan.** The service agency assigned to a resident in an adult foster home with an individual service plan must:

[For text of items A to C, see Minnesota Rules]

D. assist in developing the individual abuse prevention plan for the resident ~~under parts 9555.7100 to 9555.7600.~~

REPEALER. Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600, are repealed.

Item C

Certificate of Accuracy of the Mailing List

Minnesota Department of Human Services

Proposed Obsolete Rules Relating to Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.; Revisor's ID No. R-04917; OAH Docket No. OAH 23-9029-40660; Revisor R-04917.

I certify that the list of persons that have requested that their names be placed on the Department of Human Service's rulemaking list under Minnesota Statutes, section 14.14, subdivision 1a, is accurate, complete, and current as of March 21, 2025.

Kevin T. Slator

5/23/25

Kevin Slator

DHS Rulemaking Attorney

Item D-1

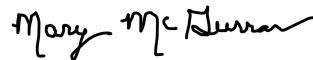
Certificate of Emailing Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc., Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D; OAH Case No. 23-9029-40660; Revisor R-04917

I certify that on March 24, 2025, at least 60 days before the end of the comment period, I emailed the Notice of Intent to Repeal Obsolete Rules to all persons who have registered with the agency to receive notices, as required under Minnesota Statutes, section 14.3895, subdivision 3.

Copies of both the email and list are attached to this Certificate.

 3.24.25

From: [Slator, Kevin T \(DHS\)](#)
To: [Slator, Kevin T \(DHS\)](#)
Subject: FW: Notice of Intent to Repeal Obsolete Rules related to Vulnerable Adult Act
Date: Monday, March 24, 2025 2:18:34 PM

From: McGurran, Mary A (DHS)
Sent: Monday, March 24, 2025 10:24 AM
To: Jill.Pooler <jill.pooler@co.wright.mn.us>; Tara.Reich <tara.reich@mnprairie.gov>; Louella Kaufer <Louella.Kaufer@hennepin.us>
Cc: Matt Freeman <mfreeman@mncounties.org>; Shands, Rachel A (DHS) <rachel.a.shands@state.mn.us>
Subject: Notice of Intent to Repeal Obsolete Rules related to Vulnerable Adult Act

Good morning,

DHS is sharing notice with MACSSA Adult Services committee chairs of intent to repeal obsolete rules related to county duties under the Vulnerable Adult Act (VAA).

This proposal is to repeal the last of rules directly impacting APS. The proposed repeal is for rules no longer referenced in [Minnesota Adult Protection Policy Manual](#) as they have become obsolete. Information below provides background on the change and links to today's State Register for specific language. This communication was shared today with all adult protection supervisors and managers who subscribe to the DHS Adult Protection communications.

Please let me know if you have further questions.

Thank you for your partnership in the adult protection system,

Mary McGurran, LSW, Adult Protection Manager, Aging and Adult Services Division,
 Minnesota Department of Human Services

Minnesota Department of Human Services logo



Notice of Intent to Repeal Obsolete Rules

[Adult Protection](#) - Aging and Adult Services

March 24, 2025

dhs.adultprotection@state.mn.us

(651) 431-2609

Date: 3/24/2025

To: APS Supervisors

From: DHS Adult Protection Unit

Purpose: Notice of Intent to Repeal Obsolete Rules

Notice of Intent to Repeal Obsolete Rules

The Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, Minnesota Statutes, section 14.3895. The proposed obsolete rules are, in general, about investigation and reporting of maltreatment of vulnerable adults. They include all rules under "Protective Services to Vulnerable Adults," Minnesota Rules, parts 9555.7100-.7600, as well as part 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

These rules have become obsolete based on revisions to the Vulnerable Adult Act (sections 626.557 and 626.5572), including DHS' authority to operate the Minnesota Adult Abuse Reporting Center, counties required use of standardized tools and APS policy developed under the commissioner's authority and communicated to counties through the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

The "[Minnesota State Register "Notice of Intent to Repeal Obsolete Rules"](#) Department of Human Services page 1075 -1077 explains the proposed rule repeal in greater detail and includes a copy of the proposed rules to be repealed or partly repealed. If you have comments or wish to request a hearing, you may do so by May 23, 2025, at 4:30 p.m., using one of the communication methods described in the Notice

If you have any questions about the rule repeal process, you can contact Kevin Slator, Rulemaking Attorney, DHS Administrative Law Office, 651-431-4101, or kevin.slator@state.mn.us. Program-related questions can be sent to dhs.adultprotection@state.mn.us.

DHS AP Logo



Having trouble viewing this email? [View it as a Web page.](#)

Stay connected

[Minnesota Department of Human Services](#)



Subscriber services:
[Manage subscriptions](#) | [Help](#)

Caution: This e-mail and attached documents, if any, may contain information that is protected by state or federal law. E-mail containing private or protected information should not be sent over a public (nonsecure) Internet unless it is encrypted pursuant to DHS standards. This e-mail should be forwarded only on a strictly need-to-know basis. If you are not the intended recipient, please: (1) notify the sender immediately, (2) do not forward the message, (3) do not print the message and (4) erase the message from your system.

Contact	Origin
AaronS@co.morrison.mn.us	Direct
abby.villaran@goodhuecountymn.gov	Upload
amanda.retzinger@hennepin.us	Direct
amber.ramey@westernprairiemn.us	Upload
amber.webb@hennepin.us	Upload
amy.pluym@co.watonwan.mn.us	Upload
amy.weir@bigstonecounty.gov	Direct
angela.lettner@olmstedcounty.gov	Upload
angelo.flowers@state.mn.us	Direct
anne.broskoff@co.brown.mn.us	Direct
anne.turnbull@piic.org	Upload
annie.braun@browncountymn.gov	Upload
annie.braun@co.brown.mn.us	Upload
apassehl@co.winona.mn.us	Upload
barbara.schmidt@co.pine.mn.us	Upload
becky.lauer@co.itasca.mn.us	Upload
besch@co.carver.mn.us	Upload
beth.swanson@co.lake.mn.us	Upload
bethany.moen@co.houston.mn.us	Direct
bforst@co.wilkin.mn.us	Upload
blane@co.scott.mn.us	Direct
bobbe.anderson@wcmn.us	Upload
brandon.smith@mnprairie.org	Upload
brenda.mahoney@co.stearns.mn.us	Upload
brian.ophus@co.hubbard.mn.us	Direct
bswenson@co.kittson.mn.us	Direct
carissa.golden@co.beltrami.mn.us	Upload
carmen.castaneda@co.hennepin.mn.us	Upload
carrie.rath@co.roseau.mn.us	Upload
cassandra.sassenberg@co.nicollet.mn.us	Direct
charlotte.kohlgraf@millelacs.mn.gov	Upload
cheri.goodwin@redlakenation.org	Direct
christine.kern@ricecountymn.gov	Upload
colette.davis@hennepin.us	Upload
craig.myers@dvhs.org	Upload
cynthia.carlson@hennepin.us	Upload
cynthia.johnson@lqpc.com	Direct
dana.wilson@chippewa.mn	Direct
daniel.brouse@co.beltrami.mn.us	Upload
daniel.stack@co.washington.mn.us	Upload
david.p.verhasselt@state.mn.us	Upload
dbechler@co.nobles.mn.us	Upload
debra.schmit@hennepin.us	Upload

denise.sargent@hhs.millelacsband-nsn.gov	Upload
derek.foss@co.koochiching.mn.us	Upload
dgoedtke@co.nobles.mn.us	Upload
donae.sturdivant@state.mn.us	Direct
donna.birk@mcleodcountymn.gov	Upload
donnita.osborn@hennepin.us	Direct
drieland@co.benton.mn.us	Upload
dsjostro@co.ottertail.mn.us	Upload
ed.holt@hennepin.us	Upload
emma.wartman@co.becker.mn.us	Upload
erica.bergstrom@co.roseau.mn.us	Upload
hannah.davidson@ricecountymn.gov	Upload
J.Ballinger@hhs.millelacsband-nsn.gov	Direct
jake.schwebke@co.todd.mn.us	Upload
janellebarney@fdlrez.com	Upload
jdahlstrom@co.wabasha.mn.us	Upload
jeani.tennyson@fmchs.com	Upload
jennifer.knutson@co.ym.mn.gov	Direct
jennifer.mathews@co.washington.mn.us	Upload
jeri.seegmiller@casscountymn.gov	Upload
jkozlowski@grandportage.com	Direct
jodi.donnay@co.isanti.mn.us	Upload
jodi_f@co.lotw.mn.us	Upload
john.herbert@hennepin.us	Upload
jolene.thorsen@chisagocounty.us	Upload
joseph.hoops@co.ramsey.mn.us	Upload
joseph.woyee@state.mn.us	Upload
jreed@co.mahnomen.mn.us	Upload
julie.ellis@co.stearns.mn.us	Direct
julie.hanson@co.mahnomen.mn.us	Upload
jwillems@carvercountymn.gov	Upload
kara.griffin@crowwing.us	Upload
karenb@co.douglas.mn.us	Direct
kathleen.simon@hennepin.us	Direct
katie.heacock@co.kanabec.mn.us	Upload
katy.goldschmidt@watonwancountymn.gov	Upload
kbnelson@mail.co.red-lake.mn.us	Direct
Kelli.klein@state.mn.us	Direct
kelsie.mutzke@co.nicollet.mn.us	Upload
kendra.torgerson@co.isanti.mn.us	Upload
kenya.walker@co.ramsey.mn.us	Direct
kfix@ottertailcounty.gov	Direct
khall@co.wabasha.mn.us	Upload
kim.decock@co.todd.mn.us	Direct

kim.goetzinger@shakopeedakota.org	Upload
kim.munoz@carltoncountymn.gov	Upload
kirstin.lepard@claycountymn.gov	Upload
krisswenson@sibleycounty.gov	Upload
kristen.allord@hhs.millelacsband-nsn.gov	Direct
kristi.koelln@co.meeker.mn.us	Upload
ksanness@co.winona.mn.us	Direct
lanette.ayers@blueearthcountymn.gov	Upload
laura.laub@co.big-stone.mn.us	Upload
lindsay.brekke@state.mn.us	Upload
lisa.olinger@co.freeborn.mn.us	Direct
lisa.shock@state.mn.us	Upload
lori.benson@anokacountymn.gov	Upload
loriw@co.mower.mn.us	Direct
louella.kaufer@hennepin.us	Upload
lschultz@co.chippewa.mn.us	Upload
lynn.shannon@state.mn.us	Upload
madams@ottertailcounty.gov	Direct
mandylien@co.stevens.mn.us	Direct
margie.aranda@state.mn.us	Direct
marissa.bergdahl-hay@stearnscountymn.gov	Upload
marni.kelly@co.polk.mn.us	Upload
mary.mcgurran@state.mn.us	Upload
megan.thomas@ricecountymn.gov	Upload
meghan.knott@kcmn.org	Upload
melissa.vongsy@state.mn.us	Upload
mfischer@co.ottertail.mn.us	Direct
michelle.bollinger@co.dakota.mn.us	Direct
michonne.bertrand@hennepin.us	Direct
mike.edminster@co.hubbard.mn.us	Direct
Morgan.althaus@crowwing.gov	Direct
mwestberg@co.scott.mn.us	Upload
nancy.rhen@co.norman.mn.us	Direct
nicole.smith@anokacountymn.gov	Upload
peter.charpentier@hhs.millelacsband-nsn.gov	Upload
peter.larson@state.mn.us	Upload
prentz@co.le-sueur.mn.us	Direct
pwhiteman@boisforte-nsn.gov	Upload
rachel.a.shands@state.mn.us	Upload
rebecca.person@co.aitkin.mn.us	Upload
rhonda.porter@claycountymn.gov	Direct
richelle.kramer@co.wright.mn.us	Upload
rick.gieseke@ricecountymn.gov	Upload
samantha.pauly@hennepin.us	Upload

sandy.comer-moen@clearwatercountymn.gov	Direct
sarah.mathias@anokacountymn.gov	Direct
sarah.matzek@goodhuecountymn.gov	Direct
sarah.schaefer@olmstedcounty.gov	Upload
sheree.hable@renvillecountymn.gov	Direct
sheri.bezdicek@co.ramsey.mn.us	Direct
sheri.lilleberg@dvhs.org	Upload
sherry.uselman@wcmn.us	Direct
smccarty@co.nobles.mn.us	Upload
stacey.longtin@swmhhs.com	Direct
stacy.laudal@co.marshall.mn.us	Upload
tami.lueck@crowwing.us	Upload
thmorrison@boisforte-nsn.gov	Upload
tina.rentz@mnprairie.gov	Direct
tony.masters@co.sherburne.mn.us	Upload
tonya.heldt@casscountymn.gov	Upload
traci.thompson@co.washington.mn.us	Upload
victoria.johannes@co.sherburne.mn.us	Direct
victoria.ramirez@co.polk.mn.us	Upload
vukelichd2@stlouiscountymn.gov	Upload
wberg@co.fillmore.mn.us	Upload
whitney.tofte@co.swift.mn.us	Upload
jill.pooler@co.wright.mn.us	MACSSA
Louella.Kaufer@hennepin.us	MACSSA
tara.reich@mnprairie.gov	MACSSA
mfreeman@mncounties.org	MACSSA

Item D-2

Minnesota Department of Human Services

Proposed Obsolete Rules Relating to Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.; OAH Docket No. OAH 23-9029-40660; Revisor R-04917.

I certify that:

- On March 24, 2025, the DHS Rulemaking Docket website was updated to add an item titled “Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.,” describing this rule repeal (see Attachment A); and
- On March 24, 2025, I emailed the Minnesota Department of Health’s Office of Health Facility Complaints (OHFC) and Maria King, Director, Health Regulation Division (which includes OHFC), to give them specific notice of this rule repeal (see Attachment B).

Kevin T. Slator 5/28/25
Kevin Slator
DHS Rulemaking Attorney

From: [MN_DHS_DHS.CentralWeb](#)
To: [Slator, Kevin T \(DHS\)](#); [MN_DHS_DHS.CentralWeb](#)
Cc: [McGurran, Mary A \(DHS\)](#); [Vongsy, Melissa A \(DHS\)](#)
Subject: RE: Website addition HIGH IMPORTANCE
Date: Monday, March 24, 2025 1:01:46 PM

Done - <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/#2>

From: Slator, Kevin T (DHS) <kevin.slator@state.mn.us>
Sent: Monday, March 24, 2025 12:02 PM
To: MN_DHS_DHS.CentralWeb <DHS.CentralWeb@state.mn.us>
Cc: McGurran, Mary A (DHS) <mary.mcgurran@state.mn.us>; Vongsy, Melissa A (DHS) <melissa.vongsy@state.mn.us>
Subject: RE: Website addition HIGH IMPORTANCE
Importance: High

Hello,

I previously sent you a request for an update to our Rulemaking Docket webpage (<https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>) on 3/12 (below). However, I need to correct the update, as shown below. Please make this correct as soon as you can. Let me know if you have questions.

Here is the new information and new document to replace what I sent before (document is a pdf, and is attached):

Summary: Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.

The Minnesota Department of Human Services intends to repeal obsolete rules relating to investigation and reporting of maltreatment of vulnerable adults, cooperation with investigations by licensed programs of reports of abuse or neglect, records of corrective action maintained by adult foster homes, and development of an individual abuse prevention plan by social service agencies. The rules, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D, are obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools

include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

In addition, Minnesota Rules, part 9555.7300, subpart 3, requires local social services agencies to “accept and investigate all complaints alleging that a vulnerable adult has been abused or neglected in that agency's county,” including suspected abuse occurring in licensed facilities as defined in rule part 9555.7200, subpart 5. These rules are obsolete as to facilities, however, as the Minnesota Department of Health is the primary administrative agency responsible for investigating reports made under section 626.557 for facilities or services licensed or required to be licensed as hospitals, etc. The Department is the lead investigative agency for facilities or services licensed or required to be licensed as an adult day care, etc. Minn. Stat. Sec. 626.5572 subd. 13(a) and (b).

Status

A Notice of Intent to Repeal Obsolete Rules has been published in the March 24, 2025, [State Register](#). A 60-day period to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal, or to request a hearing, ends on May 23, 2025, at 4:30 p.m. CST.

Supporting document

- Notice of Intent to Repeal Obsolete Rules and draft of the proposed rules repeal (pdf document)

Contact information

Kevin Slator
Minnesota Department of Human Services
Administrative Law Office
P.O. Box 64254
St. Paul, MN, 55164-0254
O: 651-431-4101
Email: kevin.slator@state.mn.us

Please try to make this update as soon as possible.

Thanks!

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

From: Slator, Kevin T (DHS)

Sent: Wednesday, March 12, 2025 12:22 PM

To: MN_DHS_DHS.CentralWeb <DHS.CentralWeb@state.mn.us>

Cc: Vongsy, Melissa A (DHS) <melissa.vongsy@state.mn.us>

Subject: RE: Website addition HIGH IMPORTANCE

Importance: High

Hello,

I need the following information and documents added to our Rulemaking Docket website (<https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>). I'd like it to be in the same style and format as the other items on the site, but listed first.

Because I will be out of the office for a few days after today, could this possibly be done by the end of today?

Here is the information and the document to be added (document is a pdf, attached):

Summary: Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.

The Minnesota Department of Human Services intends to repeal obsolete rules relating to investigation and reporting of maltreatment of vulnerable adults, cooperation with investigations by licensed programs of reports of abuse or neglect, records of corrective action maintained by adult foster homes, and development of an individual abuse prevention plan by social service agencies. The rules, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D, are obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult

Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

In addition, Minnesota Rules, part 9555.7300, subpart 3, requires local social services agencies to "accept and investigate all complaints alleging that a vulnerable adult has been abused or neglected in that agency's county," including suspected abuse occurring in licensed facilities as defined in rule part 9555.7200, subpart 5. These rules are obsolete as to facilities, however, as the Minnesota Department of Health is the primary administrative agency responsible for investigating reports made under section 626.557 for facilities or services licensed or required to be licensed as hospitals, etc. The Department is the lead investigative agency for facilities or services licensed or required to be licensed as an adult day care, etc. Minn. Stat. Sec. 626.5572 subd. 13(a) and (b).

Status

A Notice of Intent to Repeal Obsolete Rules will be published in the March 17, 2025, [State Register](#). A 60-day period to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal, or to request a hearing, ends on May 16, 2025, at 4:30 p.m. CST.

Supporting document

- Notice of Intent to Repeal Obsolete Rules and draft of the proposed rules repeal (pdf document)

Contact information

Kevin Slator
Minnesota Department of Human Services
Administrative Law Office
P.O. Box 64254
St. Paul, MN, 55164-0254
O: 651-431-4101
Email: kevin.slator@state.mn.us

Let me know if you aren't able to make this change by the end of today, so we can adjust our

plans.

Thanks!

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

Caution: This e-mail and attached documents, if any, may contain information that is protected by state or federal law. E-mail containing private or protected information should not be sent over a public (nonsecure) Internet unless it is encrypted pursuant to DHS standards. This e-mail should be forwarded only on a strictly need-to-know basis. If you are not the intended recipient, please: (1) notify the sender immediately, (2) do not forward the message, (3) do not print the message and (4) erase the message from your system.



Rulemaking Docket

State agencies are required by Minnesota Statutes to maintain a current rulemaking docket describing the status of rulemaking activities in progress or under consideration within the agency. This is the status report, or docket, on rule changes being considered and recently adopted for the Minnesota Department of Human Services.

Related resources: [Explanation of Numbering \(/dhs/partners-and-providers/policies-procedures/rulemaking/numbering.jsp\)](#), [Minnesota Rulemaking Manual \(PDF\)](#) (<https://www.health.state.mn.us/data/rules/manual/index.html>).

Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.

Summary: Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.

The Minnesota Department of Human Services intends to repeal obsolete rules relating to investigation and reporting of maltreatment of vulnerable adults, cooperation with investigations by licensed programs of reports of abuse or neglect, records of corrective action maintained by adult foster homes, and development of an individual abuse prevention plan by social service agencies. The rules, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D, are obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

In addition, Minnesota Rules, part 9555.7300, subpart 3, requires local social services agencies to "accept and investigate all complaints alleging that a vulnerable adult has been abused or neglected in that agency's county," including suspected abuse occurring in licensed facilities as defined in rule part 9555.7200, subpart 5. These rules are obsolete as to facilities, however, as the Minnesota Department of Health is the primary administrative agency responsible for investigating reports made under section 626.557 for facilities or services licensed or required to be licensed as hospitals, etc. The Department is the lead investigative agency for facilities or services licensed or required to be licensed as an adult day care, etc. Minn. Stat. Sec. 626.5572 subd. 13(a) and (b).

Status

A Notice of Intent to Repeal Obsolete Rules has been published in the March 24, 2025, **State Register** (<https://mn.gov/admin/bookstore/register.jsp>). A 60-day period to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal, or to request a hearing, ends on May 23, 2025, at 4:30 p.m. CST.

Supporting Documents

Notice of Intent to Repeal Obsolete Rules and draft of the proposed rules repeal (PDF)
(/dhs/assets/notice-of-intent-to-repeal-obsolete-rules-revisor-completed_tcm1053-672997.pdf)

Contact information

Kevin Slator

Minnesota Department of Human Services

Administrative Law Office

PO Box 64254

Saint Paul, MN 55164-0254

Phone: 651-431-4101

Email: kevin.slator@state.mn.us (<mailto:kevin.slator@state.mn.us>)

Residential Treatment Programs for Adults Who Are Mentally Ill

Summary: Residential Treatment Programs for Adults Who Are Mentally Ill

Summary: The Minnesota Department of Human Services intends to repeal two obsolete rules governing recovery or recoupment of medical assistance and MinnesotaCare overpayments caused by an enrollee's own error. The rules, Minnesota Rules, part 9505.2215, subpart 1(B), and part 9505.2200 subpart 1, are obsolete based on guidance from the Centers for Medicare and Medicaid Services relating to "unwinding" after the end of the COVID-19 public health emergency. Medicaid agencies were directed to stop assessing and recovering medical assistance benefits that are based on the agency's determination that the overpayments resulted from an enrollee's own error, and also may not request an enrollee to voluntarily repay these overpaid benefits. The Department determined that the CMS guidance also extends to overpayments of MinnesotaCare benefits.

Status

A Request for Comments was published in the December 2, 2024, State Register. The 60-day comment period will end on January 31, 2025.

Supporting Documents

- [Request for comments \(PDF\) \(/dhs/assets/minn-r-parts-9520-0500-0670-mh-cd-licensing-unit-request-comments_tcm1053-664062.pdf\)](#)

Contact information

Dustin C. Jones

Associate General Counsel

Minnesota Department of Human Services, Administrative Law Office

PO Box 64254

Saint Paul, MN 55164-0254

Phone: 651-431-4101

Email: dhsrulecomments@state.mn.us (<mailto:dhsrulecomments@state.mn.us>)

From: [King, Maria \(She/Her/Hers\) \(MDH\)](#)
To: [Slator, Kevin T \(DHS\); MN_MDH_FPC-Web](#)
Cc: [Heffron, Matthew \(MDH\); Krueger, Lindsey \(She/Her/Hers\) \(MDH\); Freudenwald, Jill \(MDH\); Marin, Celeste \(She/Her/Hers\) \(MDH\); Ponds, Daphne \(MDH\); Winkelmann, Susan \(She/Her/Hers\) \(MDH\)](#)
Subject: RE: CORRECTED Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.
Date: Wednesday, March 26, 2025 10:46:39 AM

Thank you Kevin

From: Slator, Kevin T (DHS) <kevin.slator@state.mn.us>
Sent: Monday, March 24, 2025 10:25 AM
To: MN_MDH_FPC-Web <HEALTH.FPC-Web@state.mn.us>; King, Maria (She/Her/Hers) (MDH) <maria.king@state.mn.us>
Subject: CORRECTED Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.

Hello Director King and OHFC,

I previously emailed you on March 12, 2025, to inform you that the Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, Minnesota Statutes, section 14.3895. The proposed obsolete rules are, in general, about investigation and reporting of maltreatment of vulnerable adults. They include all rules under “Protective Services to Vulnerable Adults,” Minnesota Rules, parts 9555.7100-.7600, as well as part 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D. *However, the March 12 email contained an incorrect final date to comment or request a hearing.* My apologies for the error.

I’m attaching a corrected copy of the “Notice of Intent to Repeal Obsolete Rules” that explains the proposed rule repeal in greater detail and includes a copy of the proposed rules to be repealed or partly repealed. If you have comments or wish to request a hearing, you may do so by May 23, 2025, at 4:30 p.m., using one of the communication methods described in the Notice.

If you have any questions about the rule repeal process, you can contact me. If you have program-related questions, you can contact Melissa Vongsy, LSW, Adult Protection Policy Program Consultant, Aging and Adult Services Division, 651-472-7780, or melissa.vongsy@state.mn.us.

Thank you,

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

Caution: This e-mail and attached documents, if any, may contain information that is protected by state or federal law. E-mail containing private or protected information should not be sent over a public (nonsecure) Internet unless it is encrypted pursuant to DHS standards. This e-mail should be forwarded only on a strictly need-to-know basis. If you are not the intended recipient, please: (1) notify the sender immediately, (2) do not forward the message, (3) do not print the message and (4) erase the message from your system.

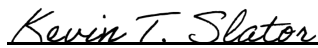
Item D-3

Certificate of Sending Notice to Legislators

Minnesota Department of Human Services

Proposed Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc., Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

I certify that on March 24, 2025, at least 60 days before the end of the comment period, I sent a copy of the Notice of Proposed Repeal of Obsolete Rules to the chairs and ranking minority members with jurisdiction over the subject matter of the proposed rule repeal by sending an electronic copy via email. I emailed this notice to comply with Minnesota Statutes, section 14.3895, subdivision 3. A copy of the cover letter is attached to this Certificate.



Kevin Slator

DHS Rulemaking Attorney



March 24, 2025

Senator Melissa H. Wiklund, Chair
Senator Paul J. Utke, Ranking Minority Member
Senate Health and Human Services Committee

Senator John A. Hoffman, Chair
Senator Jordan Rasmusson, Ranking Minority Member
Senate Human Services Committee

Representative Nolan West, Chair
Representative Carlie Kotyza-Witthuhn, DFL Lead
House Children and Families Finance and Policy Committee

Representative Jeff Backer, Chair
Representative Robert Bierman, DFL Lead
House Health Finance and Policy Committee

Representative Joe Schomacker, Chair
Representative Mohamud Noor, DFL Lead
House Human Services Finance and Policy Committee

RE: AMENDED NOTICE In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.; Revisor's ID Number RD4917

Dear Legislators:

[This letter replaces a letter to you dated March 12, 2025, that contained an incorrect date of publication in the *State Register*. Our apologies for the error.]

The Department of Human Services intends to repeal rules relating to investigation and reporting of maltreatment of vulnerable adults that have become obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy

Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

The Minnesota Rules to be repealed are:

- Parts 9555.7100, 9555.7200, 9555.7100, 9555.7300, and 9555.7600
- Part 9543.0070, subpart 1, item B
- Part 9555.5515, item N
- Part 9555.5705, subpart 3, item D.

Rule parts 9555.7100-.7600, titled “Protective Services to Vulnerable Adults,” govern the investigation and reporting of maltreatment of vulnerable adults, as well as some aspects of the emergency and continuing protective social services required to be furnished by local social services agencies under Minnesota Statutes, section 626.557, the Vulnerable Adults Act. The other rules to be repealed contain citations to parts 9555.7100-.7600, and will become obsolete upon the repeal of rule parts 9555.7100-.7600.

These rules have become obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department’s authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner’s authority that are required for use by counties in their adult protective services responsibilities to act

We have published a Notice of Intent to Repeal Obsolete Rules in the **March 24, 2025**, *State Register* and are now sending the Notice under Minnesota Statutes, section 14.3895, subdivision 3. As required, we are sending you a copy of the Notice and the proposed rules.

If you have any questions or concerns, please contact me at kevin.slator@state.mn.us or 651/431-4101.

Sincerely,

Kevin Slator
Rulemaking Attorney

Enclosures:

- Notice of Intent to Repeal Obsolete Rules
- Proposed obsolete rules to be repealed

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor's ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on May 23, 2025**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults, and include all rules under "Protective Services to Vulnerable Adults," *Minnesota Rules*, parts 9555.7100-.7600.

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under *Minnesota Statutes* section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in *Minnesota Statutes*, section 14.3895. The initial statutory authority under which these rules were created is found in *Minnesota Statutes*, sections 393.07, 256.01, 245A.09, and 626.557, which give the Commissioner of Human Services the authority to make rules relating to investigation of reports alleging that a vulnerable adult has been abused or neglected, requiring a record for a residence licensed as an adult foster home, and developing an individual abuse prevention plan.

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on May 23, 2025**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above.

All comments or responses received are public data and will be available for review on the Agency's rulemaking website at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>.

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on May 23, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

3/18/25

[Date]

Kevin Slator

KEVIN SLATOR

Rulemaking Attorney (for the Commissioner
of Human Services)

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600~~; and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident ~~under~~
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Repeal of Obsolete Rules

AGENCY: Department of Human Services

REVISOR ID: R-4917

MINNESOTA RULES: Chapters 9543 and 9555

The attached rules are approved for
publication in the State Register

A handwritten signature in black ink, appearing to read "Alex Willi", is written over a horizontal line.

Alex Willi
Assistant Revisor

Item E

From: [melissa Yarick](#)
To: [Slator, Kevin T \(DHS\)](#)
Subject: Re: FW: Investigating & Reporting of Maltreatment of Vulnerable Adults Rule making
Date: Friday, March 21, 2025 3:30:58 PM

Kevin

Point BLANK. For 6 long YEARS I have been trying to understand HOW & WHO is responsible for properly and PER STATUTE, actually investigating Maltreatment Reports.

I have been pushed around, flat out LIED to by the DHS Legal Department Manager Betsy Scholmeier as to "who's" job it was to investigate my former Employer as a PCA Provider VETTED by DHS and also Certified as a PCPO (Fiscal Intermediary) by DHS and BOTH the County & DHS want to blame each other. People got HURT & continue to get hurt because they are allowing it by purposely not investigating Maltreatment Reports on my Former Employer.

It is absolute b[REDACTED]. And after 6 years of this BS I need MY life back.

I have no other option BUT to file a FEDERAL LAW SUIT so that a JUDGE can enforce & clarify the Statute so these agencies can no longer hide behind Data Privacy just to protect their agencies from NOT doing their JOB per MN and Federal Statute.

Who holds DHS Adult Protection Department and the County Adult Protection Department responsible? Who holds them in Compliance to the LAWS?

Nobody?

My Representatives are Democrats and do not answer emails or voicemails. They are too busy ruining our State and dealing with all the other FRAUD going on in MN currently.

On Fri, Mar 21, 2025, 3:00 PM Slator, Kevin T (DHS) <kevin.slator@state.mn.us> wrote:

Ms. Yarick,

Statutes are passed and amended by the legislature, which is currently in session. If you're unsure who represents you in the Minnesota legislature, you can find that information here: <https://www.gis.lcc.mn.gov/iMaps/districts/>.

If your question relates to who enforces the Vulnerable Adults Act, you will need to use the email address I gave you to communicate with DHS staff or contact your county's human services/adult protection department.

Regards,

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

From: melissa Yarick <[missy](#) [REDACTED]>

Sent: Friday, March 21, 2025 2:54 PM

To: Slator, Kevin T (DHS) <kevin.slator@state.mn.us>

Subject: Re: Investigating & Reporting of Maltreatment of Vulnerable Adults Rule making

Who do I talk to then about amending the Statute to put in the right wording so it is understandable and actually followed by DHS and or the Adult Protection Department within the Counties if the County is the investigative Agency?

DHS Adult Protection has not been one bit helpful so sending another email to them won't work.

They just want to play the blame game and say "Not our jurisdiction talk to the County" who then says "DHS can't expect US to be actual investigators, we are not trained in investigating"....."that's for DHS & the detectives to investigate at the. State Level"....St Louis County Adult Protection Department Supervisor Dave Vuhkelich.

I am getting absolutely nowhere and this is VERY important.

I need to talk to someone in charge of enforcing the Statute itself.

On Fri, Mar 21, 2025, 2:02 PM Slator, Kevin T (DHS) <kevin.slator@state.mn.us> wrote:

Ms. Yarick,

As DHS Rulemaking Attorney, I process requests for new, amended, and repealed rules for the Department. I can't give legal advice about how to interpret a statute, including the Vulnerable Adults Act, Minnesota Statutes, sections 626.557 and 626.5572. DHS Adult Protection Program staff, who you can email at dhs.adultprotection@state.mn.us, might be able to help you or point you in the right direction.

Regards,

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

From: melissa Yarick <missy.yarick@state.mn.us>

Sent: Friday, March 21, 2025 1:49 PM

To: Slator, Kevin T (DHS) <kevin.slator@state.mn.us>

Subject: Re: Investigating & Reporting of Maltreatment of Vulnerable Adults Rule making

No, I need to talk to someone who can actually do something about clarifying a Statute to DHS & THE LIA or County regarding the intent of the Investigating Maltreatment Reports Statute.

Who would that be if not the Rule Making Attorneys for DHS?

On Wed, Mar 19, 2025, 3:53 PM Slator, Kevin T (DHS) <kevin.slator@state.mn.us> wrote:

Ms. Yarick,

You can submit questions about jurisdiction, investigation, etc. to dhs.adultprotection@state.mn.us.

If you have more questions about the proposed rule repeal process that I mentioned in my earlier email, you can respond to me. You should know that no changes have been made to Minnesota Statutes, sections 626.557 and 626.5572.

Regards,

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

From: melissa Yarick <missy>

Sent: Wednesday, March 19, 2025 11:49 AM

To: Slator, Kevin T (DHS) <kevin.slator@state.mn.us>

Subject: Re: Investigating & Reporting of Maltreatment of Vulnerable Adults Rule making

I would like to talk to you about this Statute because it obviously needs clarification to not only myself as a Mandated Reporter per DHS but also to the Vulnerable Clients I work with as well as DHS, & The "Counties" Adult Protection Department as nobody seems to know who's jurisdiction it IS to actually properly and PER STATUTE investigate the MAARC Reports made on a PCPO or PCA Provider Agency itself.

I would like to meet with someone who can clarify this to the public please.

Thank you

Melissa Yarick

On Tue, Mar 18, 2025, 2:08 PM Slator, Kevin T (DHS) <kevin.slator@state.mn.us> wrote:

Hello Ms. Yarick,

Thank you for your inquiry. I have attached for your convenience a copy of the Revisor's draft of the rules to be repealed or partly repealed.

The Department of Human Services seeks to repeal as entirely obsolete certain rules that are related to the Maltreatment of Vulnerable Adults Act (Minnesota Statutes Section 626.557/.5572). These rules are Minnesota Rules, parts [9555.7100](#), [9555.7200](#), [9555.7300](#), and [9555.7600](#). DHS also seeks to repeal other rules that will become partly obsolete after rules 9555.7100-.7600 are repealed, as they contain references to parts 9555.7100-.7600. The other rules are Minn R parts [9543.0070 subpart 1B](#), [9555.5515 item N](#), and [9555.5705 subpart 3D](#).

Let me know if you have further questions.

Kevin Slator

Rulemaking Attorney | Administrative Law Office

Minnesota Department of Human Services

P.O. Box 64254

St. Paul, MN, 55164-0254

O: 651-431-4101

F: 651-431-7714

mn.gov/dhs

From: melissa Yarick <[missy](#)>
Sent: Wednesday, March 12, 2025 2:59 PM
To: MN_DHS_DHSRuleComments <dhsrulecomments@state.mn.us>
Subject: Investigating & Reporting of Maltreatment of Vulnerable Adults Rule making

You don't often get email from [missy](#) [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Kevin Slator

Can you please send me what DHS is going to make obsolete in regard to 626.557 & 626.5572

Thank you

Melissa Yarick

Caution: This e-mail and attached documents, if any, may contain information that is protected by

state or federal law. E-mail containing private or protected information should not be sent over a public (nonsecure) Internet unless it is encrypted pursuant to DHS standards. This e-mail should be forwarded only on a strictly need-to-know basis. If you are not the intended recipient, please: (1) notify the sender immediately, (2) do not forward the message, (3) do not print the message and (4) erase the message from your system.

1.1 **Department of Human Services**1.2 **Adopted Repeal of Obsolete Rules**1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under Minnesota Statutes, chapter 260E,
1.10 or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken; and

1.19 *[For text of item O, see Minnesota Rules]*

1.20 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.21 **OF ADULT FOSTER HOMES.**

1.22 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident.

2.6 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.7 are repealed.

Item I

Proposed Order Adopting Rules

Minnesota Department of Human Services, Division of Aging and Adult Services

Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D; Revisor's ID No. AR4917, OAH Docket Number OAH 23-9029-40660.

BACKGROUND INFORMATION

1. The rules repealed by this order are obsolete and were identified in the Minnesota Department of Human Service's (the Department) annual obsolete rules report dated December 1, 2024, under Minnesota Statutes section 14.05 subd. 5.
2. The Department has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law.
3. The Department received one written comment or submissions on the rules. No requests for a public hearing or for notice of submission to the Court of Administrative Hearings were received.
4. No changes were made between the proposed rules and the adopted rules.
5. These rules have become obsolete based on overlap with the Vulnerable Adults Act, (Minn. Stat. Secs. 626.557 and 626.5572), as well as the Minnesota Adult Protection Policy Manual, the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual, and the Minnesota Adult Abuse Reporting Center, which is the common entry point designated by the Commissioner of Human Services for receipt of reports of alleged or suspected maltreatment of vulnerable adults.
6. The rules are obsolete, unnecessary, or duplicative.

ORDER

The above-named rules, in the form published in the State Register on December 1, 2024, are repealed under my authority in Minnesota Statutes, sections 256.01, 245A.09, 626.557, and 14.3895.

Date

Kevin Slator
Rulemaking Attorney (for the Commissioner
of the Dept. of Human Services



RECEIVED

Minnesota Department of Human Services
 Office of General Counsel, Administrative Law Office
 PO Box 64254
 St. Paul, MN 55164-0254

MAR 26 2025

Office of Administrative Hearings

March 21, 2025

To: Persons Registered to Receive Notification of Agency Rulemakings
 RE: Notice of Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc., Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Greetings,

This will replace a letter you received dated March 13, 2025, that was sent in error. Note the new deadline below to comment or request a hearing.

The Minnesota Department of Human Services (the Department) intends to repeal obsolete rules related to Investigation and Reporting of Maltreatment of Vulnerable Adults, found at Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D, without a public hearing, following the procedures in the Administrative Procedure Act and applicable rules. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on May 23, 2025, at 4:30 p.m., the Department will hold a virtual public hearing on the proposed rule repeal, conducted by an Administrative Law Judge.

In general, these rules have become obsolete based on overlap with portions of the Vulnerable Adults Act (Minnesota Statutes Sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

The Department will publish a Notice of Intent to Repeal Obsolete Rules (Notice) in the March 24, 2025, State Register. The Department is also providing you with a copy of the Notice and the rules to be repealed or partly repealed. A copy of the proposed rule repeal will also be available on the Department's Rulemaking Docket webpage (located at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>), and upon request to me by email (kevin.slator@state.mn.us), phone (651-431-4101), or U.S. Mail (Kevin Slator, Minnesota Department of Human Services, PO Box 64254, Saint Paul, MN 55164-0254). If you would like to comment or request a hearing, please follow the procedure described in the Notice. You have until 4:30 p.m. on May 23, 2025, to comment or request a hearing.

You are receiving this communication because according to our records, you registered to receive notices of rulemaking proceedings commenced by the Department. If you would prefer to receive notices via email instead of U.S. mail, or if you do not wish to continue receiving such notices from the Department, please notify me in writing, by email to kevin.slator@state.mn.us, or by U.S. mail (Kevin Slator, Minnesota Department of Human Services, PO Box 64254, Saint Paul, MN 55164-0254). If you know of others who would be interested in registering to receive notification of agency rulemakings, please direct them to me.

Sincerely,

Kevin T. Slator

Kevin Slator
Rulemaking Attorney
General Counsel's Office

Encl: Notice of Intent to Repeal Obsolete Rules

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor's ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on May 23, 2025**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults, and include all rules under "Protective Services to Vulnerable Adults," *Minnesota Rules*, parts 9555.7100-.7600.

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under *Minnesota Statutes* section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in *Minnesota Statutes*, section 14.3895. The initial statutory authority under which these rules were created is found in *Minnesota Statutes*, sections 393.07, 256.01, 245A.09, and 626.557, which give the Commissioner of Human Services the authority to make rules relating to investigation of reports alleging that a vulnerable adult has been abused or neglected, requiring a record for a residence licensed as an adult foster home, and developing an individual abuse prevention plan.

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on May 23, 2025**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above.

All comments or responses received are public data and will be available for review on the Agency's rulemaking website at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>.

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on May 23, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

3/18/25

[Date]

Kevin Slator

KEVIN SLATOR

Rulemaking Attorney (for the Commissioner
of Human Services)

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600;~~ and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident under
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Repeal of Obsolete Rules

AGENCY: Department of Human Services

REVISOR ID: R-4917

MINNESOTA RULES: Chapters 9543 and 9555

The attached rules are approved for
publication in the State Register

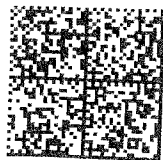
A handwritten signature in cursive script, appearing to read "Alex Willi", is written over a horizontal line.

Alex Willi
Assistant Revisor

Minnesota Department of **Human Services**
Administrative Law Office
PO Box 64254
St. Paul, MN 55164

Return Service Requested

FIRST-CLASS



US POSTAGE



ZIP 55155 \$ 000.97⁰
02.7W
0008035505 MAR 24 2025

|||||
Sam Ruhle – Minnesota Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164-0620



RECEIVED

MAR 17 2025

Minnesota Department of Human Services
Office of General Counsel, Administrative Law Office
PO Box 64254
St. Paul, MN 55164-0254

Office of Administrative Hearings

March 13, 2025

To: Persons Registered to Receive Notification of Agency Rulemakings
RE: Notice of Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc., Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Greetings,

The Minnesota Department of Human Services (the Department) intends to repeal obsolete rules related to Investigation and Reporting of Maltreatment of Vulnerable Adults, found at Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D, without a public hearing, following the procedures in the Administrative Procedure Act and applicable rules. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on May 16, 2025, at 4:30 p.m., the Department will hold a virtual public hearing on the proposed rule repeal, conducted by an Administrative Law Judge.

In general, these rules have become obsolete based on overlap with portions of the Vulnerable Adults Act (Minnesota Statutes Sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

The Department will publish a Notice of Intent to Repeal Obsolete Rules (Notice) in the March 17, 2025, State Register. The Department is also providing you with a copy of the Notice and the rules to be repealed or partly repealed. A copy of the proposed rule repeal will also be available on the Department's Rulemaking Docket webpage (located at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>), and upon request to me by email (kevin.slator@state.mn.us), phone (651-431-4101), or U.S. Mail (Kevin Slator, Minnesota Department of Human Services, PO Box 64254, Saint Paul, MN 55164-0254). If you would like to comment or request a hearing, please follow the procedure described in the Notice. You have until 4:30 p.m. on May 16, 2025, to comment or request a hearing.

You are receiving this communication because according to our records, you registered to receive notices of rulemaking proceedings commenced by the Department. If you would prefer to receive notices via email instead of U.S. mail, or if you do not wish to continue receiving such notices from the Department, please notify me in

writing, by email to kevin.slator@state.mn.us, or by U.S. mail (Kevin Slator, Minnesota Department of Human Services, PO Box 64254, Saint Paul, MN 55164-0254). If you know of others who would be interested in registering to receive notification of agency rulemakings, please direct them to me.

Sincerely,

Kevin T. Slator

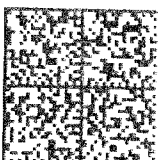
Kevin Slator
Rulemaking Attorney
General Counsel's Office

Encl: Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services
Administrative Law Office
PO Box 64254
St. Paul, MN 55164

Return Service Requested

FIRST-CLASS
AUTO LETTER

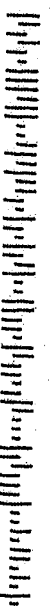


US POSTAGE
METTNEY BOWES
ZIP 55155
02 7W
0008034476 MAR 14 2025
\$ 000.54⁵

Sam Ruhle

Minnesota Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164-0620

008 BAC3A5B 55164



March 4, 2025

VIA EMAIL ONLY

Kevin Slator
MN Dept of Human Services
P.O. Box 64254
Saint Paul, MN 55164
kevin.slator@state.mn.us

Re: *In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.*
OAH 23-9029-40660; Revisor R-04917

Dear Kevin Slator:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW OF NOTICE PLAN** in the above-entitled matter.

Prior to publishing the Notice of Intent to Repeal Obsolete Rules in the State Register, please notify the Office of Administrative Hearings (OAH) at william.t.moore@state.mn.us in order to activate the agency's eComments page on the OAH's website, if the agency intends to use eComments. **Please note that if you do not notify us of the publication, the eComments site will not be available to receive public comments.**

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,


SAMANTHA COSGRIFF
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.	OAH Docket No. 23-9029-40660 Revisor R-04917
---	--

On March 4, 2025, a true and correct copy of the **ORDER ON REVIEW OF NOTICE PLAN** was served by electronic mail, unless otherwise indicated below, addressed to the following:

<u>VIA EMAIL ONLY</u> Kevin Slator MN Dept of Human Services P.O. Box 64254 Saint Paul, MN 55164 kevin.slator@state.mn.us	
---	--

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, Minnesota Rules, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

**ORDER ON REVIEW OF
NOTICE PLAN**

This matter came before Administrative Law Judge Suzanne Todnem upon the Department of Human Services's (Department) request for review of its Notice Plan as required by Minn. Stat. § 14.3895, subd. 2 (2024).

In its submissions, the Department included the following:

- The Department's proposed obsolete rules to be repealed, certified by the revisor;
- The Department's proposed Notice of Intent to Repeal Rules;
- The Department's Obsolete Rules Report dated December 1, 2024, that identified the rules as obsolete, unnecessary, or duplicative;
- The Department's explanation of why it believes the Notice Plan complies with Minn. Stat. § 14.3895, subd. 2.

Based upon a review of the written submissions by the Department, including its plan to:

- Publish its Notice of Intent to Repeal Obsolete Rules in the State Register;
- Notify people registered with the Department to receive notices of rulemaking; and

- Notify county adult protection program supervisors and managers as well as members of the Minnesota Association of County Social Service Administrators (MACSSA), a professional association of county human service administrators, using Gov.Delivery.

IT IS HEREBY ORDERED THAT:

The Notice Plan is **CONDITIONALLY APPROVED** contingent on the Department publishing the notice of the rulemaking on its rulemaking docket and sending specific notice to the Minnesota Department of Health's Office of Health Facility Complaints.

Dated: March 4, 2025


SUZANNE TODNEM
Administrative Law Judge



Minnesota Department of Human Services
P.O. Box 64254
St. Paul, MN, 55164-0254

February 26, 2025

The Honorable Suzanne Todnem, Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
PO Box 64620
St. Paul, MN 55164-0620

RE: (AMENDED) In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.; Revisor's ID Number R-04917; OAH Docket No. 23-9029-40660

Dear Judge Todnem,

The Minnesota Department of Human Services (the Department) requests that you review and approve our Notice Plan for giving notice of the repeal of obsolete rules under Minnesota Statutes, section 14.3895, subdivision 2. The Minnesota Rules to be repealed are:

- Parts 9555.7100, 9555.7200, 9555.7100, 9555.7300, and 9555.7600
- Part 9543.0070, subpart 1, item B
- Part 9555.5515, item N
- Part 9555.5705, subpart 3, item D.

Rule parts 9555.7100-.7600, titled "Protective Services to Vulnerable Adults," govern the investigation and reporting of maltreatment of vulnerable adults, as well as some aspects of the emergency and continuing protective social services required to be furnished by local social services agencies under Minnesota Statutes, section 626.557, the Vulnerable Adults Act. The other rules to be repealed contain citations to parts 9555.7100-.7600, and will become obsolete upon the repeal of rule parts 9555.7100-.7600.

These rules have become obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act

on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

In addition, Minnesota Rules, part 9555.7300, subpart 3, requires local social services agencies to “accept and investigate all complaints alleging that a vulnerable adult has been abused or neglected in that agency's county,” including suspected abuse occurring in licensed facilities as defined in rule part 9555.7200, subpart 5. These rules are obsolete as to facilities, however, as the Minnesota Department of Health is the primary administrative agency responsible for investigating reports made under section 626.557 for facilities or services licensed or required to be licensed as hospitals, etc. The Department is the lead investigative agency for facilities or services licensed or required to be licensed as an adult day care, etc. Minn. Stat. Sec. 626.5572 subd. 13(a) and (b).

Enclosed are the following:

1. The proposed obsolete rules to be repealed, certified by the revisor.
2. Our proposed Notice of Intent to Repeal Rules.
3. Our Obsolete Rules Report dated December 1, 2024, that identified the rules as obsolete, unnecessary, or duplicative.
4. Our explanation of why we believe that the Notice Plan complies with Minn. Stat. § 14.3895, subd. 2, is below.

Our proposed Additional Notice Plan consists of:

- Sending notice to individuals registered with the Department to receive notices of rulemaking;
- Sending notice using a Gov.Delivery Listserv maintained by the Department that includes county adult protection program supervisors and managers as well as members of the Minnesota Association of County Social Service Administrators (MACSSA), a professional association of county human service administrators.

We believe that our Additional Notice Plan complies with the statute because it will provide notice to (1) counties, which are the lead agency responsible for reports of suspected maltreatment of vulnerable adults under Minn. Stat. Sec. 626 impacted by the proposed rule repeal, (2) MACSSA, which is a statewide association made up of county public social service directors or other administrative designees and has representatives in all 87 Minnesota counties, and (3) the public, through the State Register.

Hon. Suzanne Todnem

February 26, 2025

Page 3

Sincerely,

Kevin T. Slator

Kevin Slator, Rulemaking Attorney

Minnesota Department of Human Services.

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600~~; and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident ~~under~~
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor's ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on May 16, 2025**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults, and include all rules under "Protective Services to Vulnerable Adults," *Minnesota Rules*, parts 9555.7100-.7600.

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under *Minnesota Statutes* section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in *Minnesota Statutes*, section 14.3895. The initial statutory authority under which these rules were created is found in *Minnesota Statutes*, section 256E.05, subdivision 1 (since repealed), which gave the Commissioner of Human Services authority to establish minimum administrative and service standards for the provision of community social services by county boards of commissioners by permanent administrative rule, and by section 626.557, the Vulnerable Adult Act.

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on May 16, 2025**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above.

All comments or responses received are public data and will be available for review on the Agency's rulemaking website at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>.

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on May 16, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

February 26, 2025
[Date]

Kevin T. Slator
KEVIN SLATOR
Rulemaking Attorney (for the Commissioner
of Human Services)



December 1, 2024

Governor Tim Walz
Senate Health and Human Services Committee Leadership
Senate Human Services Committee Leadership
House Children and Families Finance and Policy Committee Leadership
House Health Finance and Policy Committee Leadership
House Human Services Finance and Policy Committee Leadership
Office of the Revisor of Statutes
Legislative Coordinating Commission
Legislative Reference Library

VIA ELECTRONIC MAIL

RE: Annual Report on Obsolete, Unnecessary or Duplicative Rules as Required by Minnesota Statutes, Section 14.05, Subdivision 5

Dear Governor Walz, Senators, Representatives, Legislative Coordinating Commission, and Revisor Inman:

Minnesota Statutes, section 14.05, subdivision 5, directs state agencies to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative, and to provide an update on the status of such rules identified in the prior year.

Last year, in 2023, the Minnesota Department of Human Services identified the following rules as obsolete:

Minnesota Rules, parts 9500.1221, 9500.1223, 9500.1225, and 9500.1226. These rules govern General Assistance. They are outdated and have been superseded by Minnesota Statutes, sections 256P.01 – 256P.06. **Update:** The Department still intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895, along with other General Assistance rules discussed below.

Minnesota Rules, part 9505.0530, subpart 2. In order to determine whether an inpatient admission is “medically necessary” for purposes of eligibility for medical assistance payment, part 9505.0530, subparts 1-2, directs that “[t]he medical review agent shall follow the medical necessity criteria specified in subparts 2 and 3 in determining... whether a recipient’s admission is medically necessary...” Subpart 2 specifies the criteria for inpatient hospital admission, incorporating by reference a book published in 1984. However, the Department’s medical review agents no longer rely on this book, and instead apply a “prevailing community standard” approach under Minnesota Rules,

part 9505.0210. Therefore, part 9505.0530, subpart 2, is obsolete. **Update:** The Department intends to repeal this rule part using the rule repeal process identified in Minnesota Statutes, section 14.3895.

Minnesota Rules, parts 9505.2200, subpart 1; and 9505.2215, subpart 1, item B. Part 9505, subpart 1, references “recipient error” as a basis for investigating health services recipients for program compliance. Part 9505.2215, subpart 1, item B, gives the Department authority to seek monetary recovery if payment for a health service provided under a program was the result of “recipient error.” In 2022 the Department received guidance from the Center for Medicaid and Medicare Services that states cannot recover or recoup the cost of services from a beneficiary. The Department further clarified with CMS that this same analysis applies to Medicaid client error overpayments. Therefore, references to “recipient error” in rule are unnecessary and against CMS policy. **Update:** The Department has initiated the process to repeal this rule using the rule repeal process identified in Minnesota Statutes, section 14.389.

Minnesota Rules, parts 9543.0070, subpart 1, item B, 9555.5515, item N, 9555.5705, subpart 3, item D, 9555.7100, 9555.7200, 9555.7300, and 9555.7600. These rules govern protective services to vulnerable adults. They are duplicative of Minnesota Statutes, sections 626.557 and 626.5572, and are unnecessary under the Department’s policies and procedures. **Update:** The Department intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895.

This year, the Minnesota Department of Human Services reviewed its rules and has identified the rules listed below as obsolete, unnecessary, or duplicative:

Minnesota Rules, parts 9500.1206, 9500.1215, 9500.1231, 9500.1233, 9500.1243, 9500.1245, 9500.1248, 9500.1254, and 9500.1272. These rules govern General Assistance and are all partly obsolete. Parts 9500.1215 and 9500.1231 are partly obsolete as they are superseded by Minn. Stat. Secs. 256P.04 and 256D.01, subd. 1. Parts 9500.1233, 9500.1243, and 9500.1245 are partly obsolete (or will become partly obsolete in March 2025) because of Minn. Stat. Secs. 256P.08, 256P.09, and 256P.10. Part 9500.1248 is obsolete because county of financial responsibility has no relevance to general assistance. Part 9500.1254 is partly obsolete because it conflicts with Minn. Stat. Sec. 256D.05, subd. 5. Part 9500.1272 is partly obsolete because certain subparts are legally questionable (e.g. subps. 2 and 3) or cannot be enforced by agencies (e.g. subps. 8-17). Part 9500.1206 is prospectively obsolete, as repeal of the above rules will make certain subparts of Part 9500.1206 obsolete. The Department intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895.

Please let me know if I can provide further information by contacting me by email (kevin.slator@state.mn.us) or phone (651-431-4101).

Sincerely,

Minnesota Department of Human Services
Annual Obsolete Rules Report
December 1, 2024

Kevin Slator
Rulemaking Attorney
Administrative Law Office/General Counsel's Office

CC: Karen E. Sullivan Hook, DHS Administrative Law Office Manager
Kristy Graume, DHS Director of State Government Relations



Minnesota Department of Human Services
P.O. Box 64254
St. Paul, MN, 55164-0254

February 25, 2025

The Honorable Suzanne Todnem, Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
PO Box 64620
St. Paul, MN 55164-0620

RE: In the Matter of the Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, etc.; Revisor's ID Number R-04917; OAH Docket No. 23-9029-40660

Dear Judge Todnem,

The Minnesota Department of Human Services (the Department) requests that you review and approve our Notice Plan for giving notice of the repeal of obsolete rules under Minnesota Statutes, section 14.3895, subdivision 2. The Minnesota Rules to be repealed are:

- Parts 9555.7100, 9555.7200, 9555.7100, 9555.7300, and 9555.7600
- Part 9543.0070, subpart 1, item B
- Part 9555.5515, item N
- Part 9555.5705, subpart 3, item D.

Rule parts 9555.7100-.7600, titled "Protective Services to Vulnerable Adults," govern the investigation and reporting of maltreatment of vulnerable adults, as well as some aspects of the emergency and continuing protective social services required to be furnished by local social services agencies under Minnesota Statutes, section 626.557, the Vulnerable Adults Act. The other rules to be repealed contain citations to parts 9555.7100-.7600, and will become obsolete upon the repeal of rule parts 9555.7100-.7600.

These rules have become obsolete based on overlap with portions of the Vulnerable Adults Act (sections 626.557 and 626.5572), as well as with the Department's authority to operate the Minnesota Adult Abuse Reporting Center and the development of policies and tools under the commissioner's authority that are required for use by counties in their adult protective services responsibilities to act

on reports of maltreatment of vulnerable adults. These policies and tools include the Minnesota Adult Protection Policy Manual and the Minnesota Adult Protection Structured Decision Making® and Standardized Tools Guidelines and Procedures Manual.

In addition, Minnesota Rules, part 9555.7300, subpart 3, requires local social services agencies to “accept and investigate all complaints alleging that a vulnerable adult has been abused or neglected in that agency's county,” including suspected abuse occurring in licensed facilities as defined in rule part 9555.7200, subpart 5. These rules are obsolete as to facilities, however, as the Minnesota Department of Health is the primary administrative agency responsible for investigating reports made under section 626.557 for facilities or services licensed or required to be licensed as hospitals, etc. The Department is the lead investigative agency for facilities or services licensed or required to be licensed as an adult day care, etc. Minn. Stat. Sec. 626.5572 subd. 13(a) and (b).

Enclosed are the following:

1. The proposed obsolete rules to be repealed, certified by the revisor.
2. Our proposed Notice of Intent to Repeal Rules.
3. Our Obsolete Rules Report dated December 1, 2024, that identified the rules as obsolete, unnecessary, or duplicative.
4. Our explanation of why we believe that the Notice Plan complies with Minn. Stat. § 14.3895, subd. 2, is below.

Our proposed Additional Notice Plan consists of:

- Sending notice to individuals registered with the Department to receive notices of rulemaking;
- Sending notice using a Gov.Delivery Listserv maintained by the Department that includes county adult protection program supervisors and managers as well as members of the Minnesota Association of County Social Service Administrators (MACSSA), a professional association of county human service administrators.

We believe that our Additional Notice Plan complies with the statute because it will provide notice to (1) counties, which are the lead agency responsible for reports of suspected maltreatment of vulnerable adults under Minn. Stat. Sec. 626 impacted by the proposed rule repeal, (2) MACSSA, which is a statewide association made up of county public social service directors or other administrative designees and has representatives in all 87 Minnesota counties, and (3) the public, through the State Register.

Hon. Suzanne Todnem

February 25, 2025

Page 3

Sincerely,

Kevin T. Slator

Kevin Slator, Rulemaking Attorney

Minnesota Department of Human Services.



December 1, 2024

Governor Tim Walz
Senate Health and Human Services Committee Leadership
Senate Human Services Committee Leadership
House Children and Families Finance and Policy Committee Leadership
House Health Finance and Policy Committee Leadership
House Human Services Finance and Policy Committee Leadership
Office of the Revisor of Statutes
Legislative Coordinating Commission
Legislative Reference Library

VIA ELECTRONIC MAIL

RE: Annual Report on Obsolete, Unnecessary or Duplicative Rules as Required by Minnesota Statutes, Section 14.05, Subdivision 5

Dear Governor Walz, Senators, Representatives, Legislative Coordinating Commission, and Revisor Inman:

Minnesota Statutes, section 14.05, subdivision 5, directs state agencies to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative, and to provide an update on the status of such rules identified in the prior year.

Last year, in 2023, the Minnesota Department of Human Services identified the following rules as obsolete:

Minnesota Rules, parts 9500.1221, 9500.1223, 9500.1225, and 9500.1226. These rules govern General Assistance. They are outdated and have been superseded by Minnesota Statutes, sections 256P.01 – 256P.06. **Update:** The Department still intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895, along with other General Assistance rules discussed below.

Minnesota Rules, part 9505.0530, subpart 2. In order to determine whether an inpatient admission is “medically necessary” for purposes of eligibility for medical assistance payment, part 9505.0530, subparts 1-2, directs that “[t]he medical review agent shall follow the medical necessity criteria specified in subparts 2 and 3 in determining... whether a recipient’s admission is medically necessary...” Subpart 2 specifies the criteria for inpatient hospital admission, incorporating by reference a book published in 1984. However, the Department’s medical review agents no longer rely on this book, and instead apply a “prevailing community standard” approach under Minnesota Rules,

part 9505.0210. Therefore, part 9505.0530, subpart 2, is obsolete. **Update:** The Department intends to repeal this rule part using the rule repeal process identified in Minnesota Statutes, section 14.3895.

Minnesota Rules, parts 9505.2200, subpart 1; and 9505.2215, subpart 1, item B. Part 9505, subpart 1, references “recipient error” as a basis for investigating health services recipients for program compliance. Part 9505.2215, subpart 1, item B, gives the Department authority to seek monetary recovery if payment for a health service provided under a program was the result of “recipient error.” In 2022 the Department received guidance from the Center for Medicaid and Medicare Services that states cannot recover or recoup the cost of services from a beneficiary. The Department further clarified with CMS that this same analysis applies to Medicaid client error overpayments. Therefore, references to “recipient error” in rule are unnecessary and against CMS policy. **Update:** The Department has initiated the process to repeal this rule using the rule repeal process identified in Minnesota Statutes, section 14.389.

Minnesota Rules, parts 9543.0070, subpart 1, item B, 9555.5515, item N, 9555.5705, subpart 3, item D, 9555.7100, 9555.7200, 9555.7300, and 9555.7600. These rules govern protective services to vulnerable adults. They are duplicative of Minnesota Statutes, sections 626.557 and 626.5572, and are unnecessary under the Department’s policies and procedures. **Update:** The Department intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895.

This year, the Minnesota Department of Human Services reviewed its rules and has identified the rules listed below as obsolete, unnecessary, or duplicative:

Minnesota Rules, parts 9500.1206, 9500.1215, 9500.1231, 9500.1233, 9500.1243, 9500.1245, 9500.1248, 9500.1254, and 9500.1272. These rules govern General Assistance and are all partly obsolete. Parts 9500.1215 and 9500.1231 are partly obsolete as they are superseded by Minn. Stat. Secs. 256P.04 and 256D.01, subd. 1. Parts 9500.1233, 9500.1243, and 9500.1245 are partly obsolete (or will become partly obsolete in March 2025) because of Minn. Stat. Secs. 256P.08, 256P.09, and 256P.10. Part 9500.1248 is obsolete because county of financial responsibility has no relevance to general assistance. Part 9500.1254 is partly obsolete because it conflicts with Minn. Stat. Sec. 256D.05, subd. 5. Part 9500.1272 is partly obsolete because certain subparts are legally questionable (e.g. subps. 2 and 3) or cannot be enforced by agencies (e.g. subps. 8-17). Part 9500.1206 is prospectively obsolete, as repeal of the above rules will make certain subparts of Part 9500.1206 obsolete. The Department intends to repeal these rules using the rule repeal process identified in Minnesota Statutes, section 14.3895.

Please let me know if I can provide further information by contacting me by email (kevin.slator@state.mn.us) or phone (651-431-4101).

Sincerely,

Minnesota Department of Human Services
Annual Obsolete Rules Report
December 1, 2024

Kevin Slator
Rulemaking Attorney
Administrative Law Office/General Counsel's Office

CC: Karen E. Sullivan Hook, DHS Administrative Law Office Manager
Kristy Graume, DHS Director of State Government Relations

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor's ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on [day], [month] [day], [year]**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults.

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under Minnesota Statutes section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in Minnesota Statutes, section 14.3895. The initial statutory authority under which these rules were created is found in Minnesota Statutes, section [cite authority], which gives the Commissioner of [Agency Name] the authority to make rules to [describe authority].

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on [day], [month] [date], [year]**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part

or subpart of the repeal. [Make sure that your comment period is at least 60 days as required by Minnesota Statutes, section 14.3895, subd. 3.]

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

[Choose whether you will use the OAH's eComments system for accepting comments and adapt the following two paragraphs accordingly. It is not recommended to have comments submitted BOTH to the agency contact person and OAH eComments – choose one or the other. If you are using eComments and the agency receives comments directly, send them to William Moore at OAH to post on the eComments site.]

Submit written comments [to the agency contact person listed above] [via the [Office of Administrative Hearings Rulemaking eComments website \(https://mn.gov/oah/forms-and-filing/ecomments/\)](https://mn.gov/oah/forms-and-filing/ecomments/), by U.S. Mail delivered to the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, or by fax (651) 539-0310].

All comments or responses received are public data and will be available for review [on the eComments website] [at the [agency] or on the Agency's website at [URL].

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on [day], [month] [date], [year]**. [This too requires 60 days.] You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

February 25, 2025
[Date]

Kevin T. Slator
KEVIN SLATOR
Rulemaking Attorney

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600~~; and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident ~~under~~
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

RECEIVED

By: OAH on 2/20/2025 4:08 PM

OAH Docket Number: _____

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Repeal of
Obsolete Rules of the Minn. Dept. of Human
Services, Minn. R. 9555.7100; 9555.7200;
9555.7300; 9555.7600; 9543.0070,
subp. 1, item B; 9555.5515, item N; and
9555.5705, subp. 3, item D

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that:

1. The agency named below will appear at the prehearing conference and all subsequent proceedings in the above-entitled matter.

2. By providing its email address below, the agency chooses to opt into receiving electronic notice from the Office of Administrative Hearings in this matter. **Note: Provision of an email address DOES NOT constitute consent to electronic service from any opposing party or agency in this proceeding.**¹

3. The agency agrees to use best efforts to provide the Office of Administrative Hearings with the email address(es) for opposing parties and their legal counsel.

Party's/Agency's Name: Kevin Slator o/b/o Minnesota Dept of Human Services

Email: kevin.slator@state.mn.us Telephone: (651) 431-4101

Mailing Address: MN Dept of Human Services, P.O. Box 64254, St. Paul, MN, 55164-0254

Party's/Agency's Attorney: n/a _____

Respondent's/Opposing Party's Name: n/a _____

Dated: Feb. 20, 2025

Kevin Slator
Signature of Party/Agency or Attorney

¹ In order to opt in to electronic notice, this form must be emailed to OAH.efiling.support@state.mn.us. If the party does not wish to opt in to electronic notice, this form may be filed with the Office of Administrative Hearings via facsimile, U.S. Mail, or personal service. See 2015 Minn. Laws Ch. 63, Minn. R. 1400.5550, subps. 2-5 (2023).

Note: This form must be served upon the opposing party/agency. Counsel may not withdraw from representation without written notice.