

**Adult Day Center (DHS Rule 223) License Application**

**License Application Addendum**

You must complete and attach this addendum page to the main license application form. Failure to do so will result in an incomplete application.

**Program site information**

**1. Ages served**

Indicate the age range of persons to be served by the program.

\_\_\_\_\_ years through \_\_\_\_\_ years

**2. Gender served**

Check the applicable box to indicate the gender to be served by the program.

Male                  Female                  Both male and female

**3. Requested license capacity**

Indicate the maximum number of persons the program intends to serve onsite at any one time: \_\_\_\_\_

**4. Days and Hours of operation**

Identify the days and hours of operation of your program.

Monday	From _____	To _____
Tuesday	From _____	To _____
Wednesday	From _____	To _____
Thursday	From _____	To _____
Friday	From _____	To _____
Saturday	From _____	To _____
Sunday	From _____	To _____

**5. Food service**

Check all the applicable boxes indicating what meals or snacks the program will provide.

Breakfast                                  Morning snack                                  Lunch  
Afternoon snack                                  Dinner/supper                                  Evening snack

Check all the applicable boxes indicating where meals or snacks will be prepared or taken.

Food prepared onsite                  Food catered                  Meals taken at separate location                  Bag lunches

**A. Additional Required Materials and Approvals**

If you are applying for an adult day center license, you must read and comply with the additional requirements for licensure and complete and submit each of the additional required materials identified below in order for your license to be complete.

**Center status during application process:** You may not operate as an adult day care center or advertise as a licensed program until all licensure requirements have been fulfilled and approved by the Licensing Division and a license issued.

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### 1. Policies, procedures, and program records

You must develop and submit the following program records, forms, and policies and procedures with your application. Sample forms and policies and procedures are available online from the [DHS Licensing Forms](#) web page under the Forms for Adult Day Centers section.

#### a. Required program records:

- (1) Individual Service Plan – Provide sample forms to be used for intake screening, initial services plans, and individual plans of care ([9555.9700](#)).
- (2) Individual Abuse Prevention Plan – Provide a sample form ([245A.65](#), subdivision 2; [626.557](#), subdivision 14).
- (3) Participant Records/Application Materials – Provide sample forms to be maintained in each participant record ([9555.9660](#); [626.557](#), subdivision 14, (b), and [245A.65](#), subdivision 2, (b)).
- (4) Monthly Plan of Daily Activities – Provide a monthly plan for diversified daily program activities designed to meet the needs and interests of the participants and include all requirements under [9555.9710](#), subpart 6, A through C.
- (5) Meal and Snack Menus – Provide sample menus for all meals and snacks served by the program which comply with USDA nutritional requirements and approved by a registered dietitian ([9555.9710](#), subpart 1, E).
- (6) [Adult Day Program Center Director Personnel Requirements Form](#) – Complete for the center director and provide documentation to verify qualification requirements ([9555.9680](#), subpart 1).
- (7) [Summary of Staff Information Form](#) – Complete the Summary of Staff Information Form, identifying the applicant(s) and staff persons hired at the time of application.
- (8) Consultants – Provide the names of the required consultants, including a registered dietitian, registered nurse, and registered physical therapist, and documentation to verify that the consultant's licensure, registration, or certification meets the requirements under [9555.9710](#).
- (9) Record of Incidents – Provide a sample form to document all incidents involving participants ([9555.9720](#), subpart 4).

#### b. Required policies and procedures:

Information to assist you in developing required policies and procedures is available in the [Guidelines for Developing Policies and Procedures for Adult Day Centers](#).

- (1) Policy and Program Information ([9555.9640](#))
- (2) Written plans for emergencies caused by fire and weather ([9555.9720](#), subpart 9)
- (3) Written procedures governing medical emergencies ([9555.9720](#), subpart 10)
- (4) Health services including policies and monitoring procedures for participant self-administration of medications for unlicensed personnel who provide medication assistance, approved by a registered nurse consultant ([9555.9710](#), subpart 3)
- (5) Program Drug and Alcohol Policy ([245A.04](#), subd. 1, paragraph (c))
- (6) Program Abuse Prevention Plan ([245A.65](#), subdivision 2; [626.557](#), subdivision 14)
- (7) Mandated Reporting of Maltreatment of Vulnerable Adults policy, ([245A.65](#); [626.557](#), and [626.5572](#)). Review the sample policy available on the DHS Licensing website titled, [Maltreatment of Vulnerable Adults Reporting Policy for DHS Licensed Programs](#).
- (8) Program Grievance Procedure ([245A.04](#), subd. 1, paragraph (d))

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### 2. Facility floor plan

You must submit a facility floor plan that verifies the physical plant and space requirements for adult day care centers according to Minnesota Rules, part [9555.9730](#). You may use the [floor plan](#) available online.

### 3. DHS notice to local zoning authority

Contact the local municipality to determine any possible requirements for conditional or special use permits. Compliance with zoning ordinances is required prior to issuance of a license. When your application is received, the DHS Commissioner will provide 30 days' notice to the affected municipality where the applicant is seeking to provide services as identified in [section 245A.04, subd. 2](#). An absence of objection by the local authority will be considered approval.

### 4. Fire, building, and health inspections

Before a license will be issued, you must provide documentation of compliance with applicable fire, building, and health codes, or documentation that an appropriate waiver has been granted. It is recommended that you contact these inspection agencies prior to submission of your application to DHS Licensing to ensure that the proposed space complies with applicable code requirements. Once your application has been submitted and determined by DHS to be complete, the DHS licensor assigned to evaluate your application will assist you with requesting inspections from other agencies. The completed and approved code inspection reports must be submitted to the DHS licensor before the onsite licensing inspection is conducted and a license is issued.

**Fire inspection:** Minnesota Statutes, section [245A.151](#), requires an inspection by a State Fire Marshal to determine compliance with the State Fire Code under section [299F.011](#). In some areas, local fire inspector(s) are trained and approved by the State Fire Marshal to conduct the fire inspection. The State Fire Marshal maintains an [online list](#) of local fire code inspectors trained and approved by the State Fire Marshal Division to conduct the required inspection for DHS licensed facilities. If a community does not have an approved local fire code inspector, the State Fire Marshal must conduct the inspection. The phone number for the office of the State Fire Marshal is (651) 215-0500. An inspection fee may be required.

**Building inspection:** A building code inspection by the local building inspector to determine compliance with local building code is required. If the facility is located in a non-coded area of the state and there is no building code inspection required for the program location, you must submit documentation from the local authority (city) that there is no code requirement.

**Health inspection:** Based on the level of food preparation, handling and service, licensure by the Department of Health may be required. If a community does not have a local health inspector to determine if a health license is required, the state Health Department must be contacted. The phone number for the office of the state Health Department is (651) 201-5000.

### 5. Onsite inspection

Within 90 working days after receipt of a complete application, including written verification of fire, building, health, and zoning approvals, the DHS licensor will contact you to schedule an onsite visit. At the time of the onsite visit, you must demonstrate that you are in full compliance with all licensing rules and regulations or a license will not be issued.

## B. Information and Resources for Applicants and License Holders

Additional information and forms are available online from the DHS Licensing Forms web page under the [Forms for Adult Day Centers](#) section. It is recommended you make print them and make additional copies for future use. Check the website regularly for updates and added forms.

### 1. Additional forms available for future use

- a. [Center Director Personnel Requirement](#)
- b. [Summary of Staff Information](#)
- c. [Staffing Pattern](#)

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- d. [Adult Day Care Center Staff Ratio Requirements](#)
- e. [Variance Request](#)
- f. [Document List](#) - Checklist to assist you in complying with documentation requirements for participant records, personnel records and other program records.

## 2. Additional information

The following are links to online information related to adult day center services. You may want to bookmark or add these sites to your internet favorites for future reference:

- a. For general licensing information, go to [DHS Licensing](#)
- b. For licensing forms, go to [Licensing Forms](#)
- c. For annual license renewal information, go to [License Renewal Information](#)
- d. For information on specific licensing requirements, go to [DHS Licensing Licensed Programs and Services](#)
- e. For information on background study requirements, go to [DHS Licensing Background Studies](#)
- f. For information on maltreatment requirements and investigations, go to [DHS Licensing Maltreatment Investigations](#)
- g. To find DHS licensed programs, go to [DHS Licensing Information Lookup](#)
- h. For information on all types of licenses issued in Minnesota, go to [License Minnesota](#)
- i. For information on becoming a Minnesota Health Care Program (MHCP) provider, go to [DHS Provider Enrollment](#)
- j. For information on [Emergency Preparedness, Response, and Recovery](#), go to the Minnesota Department of Health website

## 3. Additional resources

The following contacts may be of interest to new adult day service providers:

- a. DHS - [Aging and Adult Services Division](#), (651) 431-2600
- b. [Minnesota Adult Day Services Association](#) (MADSA), (763) 464-2698

## C. Applicable Rules and Laws

The following laws and rules apply to the provision adult day services licensed according to Minnesota Statutes, chapter 245A:

- Minnesota Rules, chapter [9555](#) (9555.9600 through 9555.9730 - DHS Rule 223).
- Minnesota Statutes, chapter [245A](#), Human Services Licensing Act
- Minnesota Statutes, chapter [245C](#), Background Study Act
- Minnesota Statutes, chapter [626.557](#) and [626.5572](#), Vulnerable Adults Act (VAA)

## D. License Application Checklist

Use the [License Application Checklist](#) to help you prepare your license application. You must verify that all forms and materials identified on the checklist have been completed and are included in your license application before you submit it to the DHS Licensing Division.

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### E. License Application Processes

#### 1. The following processes must be completed before you submit your application:

I submitted a complete license application and the \$550 license application fee to the correct address.

I have reviewed and understand the applicable rule and statutory requirements, including background study requirements for the applicant and controlling individuals, and for ongoing background study requirements for the program if it is licensed.

#### 2. The following processes are completed after you submit your application, but before a license is issued:

I understand that the DHS Licensing Division has 90 working days to act on my application, once a complete application has been received.

I understand that if my application is incomplete or substantially deficient, I will receive a written notice from the DHS Licensing Division identifying documents that are missing or deficient and I will be given 45 days to resubmit a second application that is substantially complete. I understand that a failure to submit a substantially complete application after receiving notice from the commissioner is a basis for license denial under section [245A.05](#).

I understand that once DHS determines my application to be complete, the DHS Licensor will assist me in requesting inspections from building, fire, and health officials.

I understand that upon receipt of my application, DHS will notify the local zoning authority of my application for a license and the local zoning authority must approve the use of the property for adult day center services.

I understand that once I have met all required license application requirements and written approvals have been received from building, fire, and health officials and submitted to DHS, the DHS licensor will contact me to schedule an onsite licensing inspection.

I understand that I must be compliant with all applicable rules and laws at the time of the licensing inspection or a license will not be issued.

I understand that the sensitive background study information person must submit the required background studies, pay the background study fee, and that I must receive notice from DHS that the background studies for the required individuals have cleared.