

Chemical Dependency Treatment Programs (DHS Rule 31)

License Application Addendum

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

1. Program site information

Identify the population you will be serving and the types of services you will provide.

Ages to be served

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

Residential program: _____ years through _____ years

Non-residential program: _____ years through _____ years

Gender to be served

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

Residential program: Male Female Both

Non-residential program: Male Female Both

Licensed capacity requested (Residential programs requirement only)

Maximum number of persons the program intends to serve: _____

2. Types of services to be provided

Select all types of services that will be provided by the program from the following list. For a full description of the services required see the rule part indicated.

All chemical dependency treatment programs licensed under Rule 31 must meet the requirements of Minnesota Rules, parts [9530.6405 through 9530.6480](#).

Non-residential treatment

Adolescent treatment services. In addition to parts [9530.6405 through 9530.6480](#), license holders must meet additional requirements as follows:

- Outpatient treatment services provided to adolescents must comply with part [9530.6485](#).
- Residential treatment services provided to adolescents must comply with part [2960.0440, item B](#), which states that a residential program that addresses the substance use disorder of a person older than 15 years of age, and under 21 years of age must either be licensed under parts [2960.0010 to 2960.0220](#) and certified under parts [2960.0430 to 2960.0490](#), or be licensed under parts [9530.6405 to 9530.6505](#).

NOTE: Residential chemical dependency treatment services for adolescents under the age of 15 years must be licensed under parts [2960.0010 to 2960.0220](#) and certified under parts [2960.0430 to 2960.0490](#).

Treatment for clients with children. In addition to parts [9530.6405 through 9530.6480](#) license holders must meet the requirements of part [9530.6490](#).

Specialized treatment for persons with chemical abuse or dependency and mental health problems. In addition to parts [9530.6405 through 9530.6480](#), license holders must meet the requirements of part [9530.6495](#).

Methadone programs serving intravenous drug users. In addition to parts [9530.6405 through 9530.6480](#), license holders must meet the requirements of part [9530.6500](#).

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Residential treatment. In addition to parts [9530.6405 through 9530.6480](#), license holders providing supervised room and board as a treatment component at the licensed program site must meet the requirements of part [9530.6505](#).

3. Contact with affected municipality

Applicants for a residential program license issued by DHS are responsible for contacting the municipality where the program will be located to inquire about applicable local ordinance requirements. The license applicant is responsible for taking all necessary actions as directed by the municipality to comply with local ordinance requirements. Once you have contacted the municipality, enter the information to document your contact with the local municipality.

NAME OF MUNICIPAL OFFICIAL CONTACTED	CONTACT'S TELEPHONE NUMBER	DATE OF CONTACT

A. Additional Required Materials and Approvals

If you are applying for a chemical dependency treatment program license you must read and comply with the following additional requirements for licensure. You must complete and submit all of the additional required materials identified below in order for your license to be complete.

Program status during application process: You may not operate as a chemical dependency treatment program or advertise as a licensed program until all licensure requirements have been fulfilled and approved by DHS and a license issued.

1. Insurance coverage

The license holder must submit documentation demonstrating insurance coverage, including bonding, sufficient to cover all client funds, property, and interests, as required by Minnesota Rules, part [9530.6415, subpart 2 \(D\)](#).

2. Electronic record keeping or electronic signatures

A license holder who intends to use electronic record keeping or electronic signatures to comply with Minnesota Rules, part 9530.6405 to 9530.6505, must first obtain permission from the commissioner via the Licensing Division. The commissioner must grant permission after the license holder provides [assurance to adhere to the electronic record keeping requirements](#) in Minnesota Rules, part [9530.6440, subpart 4](#). Use of electronic record keeping or electronic signatures does not alter the license holder's obligations under state or federal law, regulation, or rule.

3. Funds and property

You must ensure that persons served by the program retain the use and availability of personal funds or property unless restrictions are justified in the person's individual plan. Submit a plan that describes the methods that you will use to ensure compliance with Minnesota Statutes, section [245A.04, subdivision 13](#).

4. Program policies, procedures, and forms

You must develop and submit policies, procedures, and forms necessary to maintain compliance with licensing requirements under Minnesota Statutes, and with Minnesota Rules, parts [9530.6405 through 9530.6505](#). You must index your policies and procedures with a table of contents or another method approved by the commissioner and keep them readily accessible to staff.

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Use the [Additional Required Documents Checklist](#) as a guide to develop the required policies, procedures, forms and reports, and to identify and locate each of those items in your application. Follow the instructions on the checklist. Submit copies of all listed documents, along with a copy of the completed checklist to confirm compliance.

5. Local assessment of need

A license applicant must contact the county in which the program will be located to request a local need determination for any new or expanded chemical dependency treatment program. Each applicant must submit a letter of need according to Minnesota Rules, parts [9530.6800](#) and [9530.6810](#) before a license is issued.

6. 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.

7. Fire and building inspections

Before a license will be issued you must provide documentation of compliance with applicable fire, building, and health codes, or document that an appropriate waiver has been granted. A form to request code inspections will be sent to you by the Licensing Division upon receipt of your application; however, it is recommended that you contact these inspection agencies prior to submission of your application to DHS Licensing to ensure that the proposed space and program complies with applicable code requirements. You must complete the inspection request forms and arrange for the inspections. The completed and approved code inspection reports must be submitted to the Licensing Division before the physical plant 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](#). The State Fire Marshal maintains a 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 there is no building code inspection required for the program location, then the license applicant must submit documentation from the local authority (city) that there is no code requirement.

8. MN Department of Health licensure

A license holder who provides room and board and treatment services in the same facility; and non-residential programs that prepare and serve meals on-site must have the appropriate license from the [Minnesota Department of Health](#) (MDH). The phone number for the office of the state Health Department is (651) 201-5000. When applicable, evidence of licensure by MDH must be received by the Licensing Division before the DHS license is issued.

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9. MN Department of Education approval

Education programs offered on-site to children and youth in a residential program must be approved by the commissioner of the [Minnesota Department of Education](#) (MDE) before the commissioner of human services may grant a license, as required by Minnesota Statutes, section [245A.04, subdivision 11](#). For additional information please contact the [Minnesota Department of Education, Care and Treatment Specialist](#). When applicable, evidence of approval by the Minnesota Department of Education must be received by the Licensing Division before the DHS license is issued.

10. DHS Licensing physical plant inspection

Once the license application is determined to be complete and the Licensing Division has received all of the additional materials and inspection reports, a DHS licensor will conduct an onsite inspection of the physical plant as required under Minnesota Statutes, [section 245A.04, subdivision 4](#), to determine the following:

- The environment is safe and hazard-free;
- Equipment, vehicles, supplies and materials owned by applicant are in good condition;
- Any conditions of occupancy made by any inspector(s) have been met;
- The Grievance Procedure, Program Abuse Prevention Plan, and the [Vulnerable Adult Maltreatment Reporting Policies and Procedures](#) are posted in a prominent place in the facility; and
- The client rights identified in Minnesota Statutes, section [148F.165, subdivision 2](#) are posted in a prominent location in the office of the counselor.

B. License Application Checklist

Use this checklist to help you prepare your license application. You must verify that the following forms and materials have been completed and are included in your license application before you submit it to the DHS.

1. Application forms - The following forms must be included with your application:

License application form

Applicant and license holder agreement and acknowledgment, the original notarized form

Organizational chart

Workers compensation insurance verification form; do NOT submit copies of insurance policies they are not required and they will not be reviewed

2. Additional materials - The following materials must be submitted with your application:

Insurance coverage documentation

Electronic Record Keeping Assurance Statement, if applicable

Client Funds and property plan, if applicable

Local Assessment of Need

Fire, Building, Health Inspections, as applicable

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3. Program policies, procedures, and forms - The following policies, procedures, and forms must be submitted with your application:

- Additional Required Documents Checklist with Document Identifier column completed
- Copies of all required policies, procedures, and forms

4. Application Processes - The following process must be completed before a license will be issued:

a. 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 background study requirements for the application and for ongoing background studies for the program if it is licensed.

I have contacted the municipality where the program will be located to verify that the program meets local zoning requirements or have obtained a special use permit as required.

I have submitted a letter of need issued by:

- (1) the county board of commissioners in the county where the program will be located, or
- (2) the commissioner if the county has not responded to the request for the local needs determination within 60 days.

b. The following processes are completed after you submit your application and before a license is issued:

I understand that the sensitive background study information person must submit the required background studies and pay the background study fees.

I understand that I must receive notice from DHS that the background studies for the required individuals have cleared.

I understand that the fire marshal and building inspections must be completed and the facility approved for occupancy or conditions for occupancy have been met.

I understand that I must contact the DHS Licensor to conduct the physical plant inspection after health, safety, building, and fire code inspection requirements have been met.

I understand that the DHS Licensing Division has 90 working 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 failure to submit a substantially complete application after receiving notice from the commissioner is a basis for license denial under section [245A.05](#).

C. Information and Resources for Applicants and License Holders

For additional information that you may be interested in please save these sites for future reference:

- a. For general licensing information go to [DHS Licensing](#).

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- b. For licensing forms go to [Licensing Forms](#) and scroll down to forms for mental health and chemical health programs.
- c. The [DHS Licensed Programs, Chemical Health website](#) contains additional information and forms, including self-monitoring checklists for your use to audit your program's compliance with the licensing requirements.
- d. For updates on standards and issues specific to Chemical Dependency treatment services and annual license renewal information go to the [Chemical Dependency Treatment Program License Renewal Information](#). [Link changed]
- 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 search for specific licensed providers by name, city, county, ZIP code, program type or license number, go to [DHS Licensing Information Lookup](#) or [Licensed program lists](#). Once your license is issued it will be included in Licensing Information Look Up and the licensed program lists.
- h. For more information on chemical health services in Minnesota, see the [DHS Alcohol and Drug Abuse Division](#) website.
- i. For information on all types of licenses issued in Minnesota go to [License Minnesota](#).
- j. For information on becoming a Minnesota Health Care Program (MHCP) provider go to [DHS Provider Enrollment](#).
- k. For information on [Reportable Diseases](#) go to the Minnesota Department of Health website.
- l. For information on [Emergency Preparedness, Response, and Recovery](#) go to the Minnesota Department of Health website.

D. Legal References

The following laws and rules apply to the chemical dependency treatment facilities licensed according to Minnesota Statutes, chapter 245A.

Minnesota Statutes (MS)

MS Chapter [245A](#), Human Services Licensing Act

MS Chapter [245C](#), Background Study Act

MS §[626.556](#), Maltreatment of Minors Act (MOMA)

MS §[626.557](#) and [626.5572](#), Vulnerable Adults Act (VAA)

MS §[144.651](#), Health care bill of rights

MS §[148F.165](#), Client bill of rights

MS §[152.02](#), subdivision 3, definition of schedule II drugs

MS §[604.201](#) Cause of action for sexual exploitation, psychotherapists

MS §[148C](#), Alcohol and Drug Counselors, Licensing

MS §[144.4804](#), Reporting related to tuberculosis

MS §[253B.03](#), rights of committed patients

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MS §[253B.16](#), Discharge of committed persons

MS §[148.171, subdivision 23](#), definition of supervision from the Nurse Practice Act

Minnesota Rules

Parts [9530.6405 through 9530.6505](#), Chemical Dependency Licensed Treatment Facilities (Rule 31)

Part [9530.6422](#), subpart 2, assessment summary risk description

Part [9530.6800](#) and [9530.6810](#), determination of need requirements