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

Age range of persons to be served by the program.

_____ years through _____ years

Gender to be served

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

☐ Male ☐ Female ☐ Both

Licensed capacity requested

The maximum number of persons the program intends to serve: _____

2. 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 OFFICAL CONTACTED	CONTACT'S TELEPHONE NUMBER	DATE OF CONTACT

A. Additional Required Materials and Approvals

If you are applying for a detoxification 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 detoxification 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 9530.6520, subpart 2 (D).

2. 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, part 9530.6510 through 9530.6590. 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.

Use the Rule 32 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.

3. 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.

4. 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, subdivision 2. An absence of objection by the local authority will be considered approval.

5. 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 as required in Minnesota Rules, part 9530.6520, subpart 2. Forms used 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.

6. MN Department of Health licensure

A program licensed by DHS to provide detoxification services must be a supervised living facility (SLF) with a class B license from the Minnesota Department of Health (MDH), as required by part 9530.6520, subpart 1. The license applicant must contact the Minnesota Department of Health for the SLF license. The Division of Licensing will verify evidence of licensure by MDH before the DHS physical plant inspection is conducted and the DHS license is issued.

7. 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 144.651 are posted in a prominent location in the program.

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 Licensing Division.

1. Application forms

☐ 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

☐ Insurance coverage documentation

☐ Client Funds and property plan

☐ Local Need Determination (Letter of Need)

☐ Fire, Building, and Zoning approval

☐ Minnesota Department of Health Supervised Living Facility, class B license

3. Program Policies, Procedures, and Forms

☐ 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 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 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. My 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 go to the following websites and save these sites for future reference:

a. For general licensing information go to DHS Licensing.
b. For applicable licensing forms go to Licensing Forms and scroll down to forms for mental health and chemical health programs.
c. For additional forms for detoxification programs go to DHS Licensing Chemical Health website. Self-monitoring checklists are available for your use to help audit your program's compliance with the licensing requirements.
d. For updates on standards and issues specific to detoxification services and annual license renewal information go to License Renewal Information.
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 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 Reportable Diseases go to the Minnesota Department of Health website.
k. For information on Emergency Preparedness, Response, and Recovery go to the Minnesota Department of Health website.
l. For more information related to detoxification and chemical dependency services in Minnesota, go to the DHS Alcohol and Drug Abuse Division website.
m. For information related to condition specific protocol regarding medications that require a withdrawal regimen go to the Use of Protocols on the Minnesota Board of Nursing website.

D. Legal References

The following laws and rules apply to the detoxification 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 §152.02, subdivision 3, Definition of schedule II drugs

MS §144.4804, Reporting related to tuberculosis

MS §144.651, Health care bill of rights

MS §253B.03, Rights of committed patients

MS §253B.05, subdivisions 1 and 2, Emergency Holds or peace and health officer holds

MS §253B.07, subdivision 2b, Apprehend and hold orders

MS §253B.16, Discharge of committed persons

MS §148.171, subdivision 23, definition of supervision from the Nurse Practice Act

Minnesota Rules

Parts 9530.6510 through 9530.6590 Detoxification Programs (Rule 32)

Part 9530.6615, subpart 2, Individuals qualified to perform chemical use assessments

Parts 9530.6800 and 9530.6810, Determination of Need requirements

Visit the Minnesota State Legislature website for more information and access to statutes and rules at:

https://www.revisor.leg.state.mn.us/pubs/