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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. **1064**

February 19, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to human services; modifying disqualification set-asides; amending
1.3 Minnesota Statutes 2006, section 245C.24, subdivision 2.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 245C.24, subdivision 2, is amended to read:

1.6 Subd. 2. **Permanent bar to set aside a disqualification.** ~~(a) Except as provided in~~
1.7 ~~paragraph (b);~~ The commissioner may not set aside the disqualification of any individual
1.8 ~~disqualified pursuant to this chapter, in connection with a license to provide family child~~
1.9 ~~care for children, foster care for children in the provider's home, or foster care or day care~~
1.10 ~~services for adults in the provider's home, regardless of how much time has passed, if the~~
1.11 individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 1.

1.12 ~~(b) For an individual in the chemical dependency field who was disqualified for a~~
1.13 ~~crime or conduct listed under section 245C.15, subdivision 1, and whose disqualification~~
1.14 ~~was set aside prior to July 1, 2005, the commissioner must consider granting a variance~~
1.15 ~~pursuant to section 245C.30 for the license holder for a program dealing primarily with~~
1.16 ~~adults. A request for reconsideration evaluated under this paragraph must include a~~
1.17 ~~letter of recommendation from the license holder that was subject to the prior set-aside~~
1.18 ~~decision addressing the individual's quality of care to children or vulnerable adults and the~~
1.19 ~~circumstances of the individual's departure from that service.~~