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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3235

February 19, 2008

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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 the Department of Human Services
1.3 Background Studies Act; amending Minnesota Statutes 2006, section 245C.24,
1.4 subdivision 2.

1.5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

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

1.7 Subd. 2. **Permanent bar to set aside a disqualification.** (a) Except as provided in
1.8 paragraph (b), the commissioner may not set aside the disqualification of any individual
1.9 disqualified pursuant to this chapter, regardless of how much time has passed, if the
1.10 individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 1.

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