

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Human Services

Proposed Repeal of Obsolete Rules Relating to Investigation and Reporting of Maltreatment of Vulnerable Adults, Cooperation with Investigations by Licensed Programs of Reports of Abuse or Neglect, Records of Corrective Action Maintained by Adult Foster Homes, Development of an Individual Abuse Prevention Plan by Social Service Agencies, *Minnesota Rules*, parts 9555.7100, 9555.7200, 9555.7300, 9555.7600, and 9543.0070, subpart 1, item B; part 9555.5515, item N; and part 9555.5705, subpart 3, item D.

Revisor's ID Number R-04917; OAH Docket Number 23-9029-40660

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on May 23, 2025**.

Subject of Rules. The proposed obsolete rules are, in general, about Investigation and Reporting of Maltreatment of Vulnerable Adults, and include all rules under "Protective Services to Vulnerable Adults," *Minnesota Rules*, parts 9555.7100-.7600.

Statutory Authority. The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under *Minnesota Statutes* section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in *Minnesota Statutes*, section 14.3895. The initial statutory authority under which these rules were created is found in *Minnesota Statutes*, sections 393.07, 256.01, 245A.09, and 626.557, which give the Commissioner of Human Services the authority to make rules relating to investigation of reports alleging that a vulnerable adult has been abused or neglected, requiring a record for a residence licensed as an adult foster home, and developing an individual abuse prevention plan.

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed. The proposed obsolete rules to be repealed will be posted at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/> (DHS Rulemaking Docket).

Agency Contact Person. The agency contact person is Kevin Slator, Minnesota Department of Human Services, P.O. Box 64254, St. Paul, MN 55164-0254, Phone: 651-431-3101, Email (preferred): dhsrulecomments@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on May 23, 2025**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above.

All comments or responses received are public data and will be available for review on the Agency's rulemaking website at <https://mn.gov/dhs/partners-and-providers/policies-procedures/rulemaking/>.

Request for Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on May 23, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

3/18/25
[Date]

Kevin Slator
KEVIN SLATOR
Rulemaking Attorney (for the Commissioner
of Human Services)

1.1 **Department of Human Services**

1.2 **Proposed Repeal of Obsolete Rules**

1.3 **9543.0070 INVESTIGATIONS OF LICENSED PROGRAMS.**

1.4 Subpart 1. **Reports of abuse or neglect of persons served by licensed programs.** If
1.5 an agency receives a complaint alleging abuse or neglect of persons served by a program,
1.6 the agency shall follow the procedures in items A to C.

1.7 *[For text of item A, see Minnesota Rules]*

1.8 B. The agency shall cooperate with the county child or adult protection unit as
1.9 requested in conducting the investigation required under ~~part 9555.7300 or 9560.0222~~
1.10 Minnesota Statutes, chapter 260E, or section 626.557.

1.11 *[For text of item C, see Minnesota Rules]*

1.12 *[For text of subparts 2 to 5, see Minnesota Rules]*

1.13 **9555.5515 RECORD ON THE RESIDENCE.**

1.14 A record for the residence licensed as an adult foster home shall be maintained by the
1.15 commissioner and contain:

1.16 *[For text of items A to M, see Minnesota Rules]*

1.17 N. a record of any substantiated complaints of maltreatment as defined in
1.18 Minnesota Statutes, section 626.5572, subdivision 15, and any corrective action taken ~~under~~
1.19 ~~parts 9555.7100 to 9555.7600~~; and

1.20 *[For text of item O, see Minnesota Rules]*

1.21 **9555.5705 PROVISION OF ADULT FOSTER CARE SERVICES TO RESIDENTS**
1.22 **OF ADULT FOSTER HOMES.**

1.23 *[For text of subparts 1 and 2, see Minnesota Rules]*

2.1 Subp. 3. **Placement review for residents with an individual service plan.** The
2.2 service agency assigned to a resident in an adult foster home with an individual service plan
2.3 must:

2.4 *[For text of items A to C, see Minnesota Rules]*

2.5 D. assist in developing the individual abuse prevention plan for the resident ~~under~~
2.6 ~~parts 9555.7100 to 9555.7600.~~

2.7 **REPEALER.** Minnesota Rules, parts 9555.7100; 9555.7200; 9555.7300; and 9555.7600,
2.8 are repealed.

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Repeal of Obsolete Rules

AGENCY: Department of Human Services

REVISOR ID: R-4917

MINNESOTA RULES: Chapters 9543 and 9555

The attached rules are approved for
publication in the State Register

A handwritten signature in cursive script, appearing to read "Alex Willi".

Alex Willi
Assistant Revisor