

**LADC Continuing Education Variance Request**

***Processing Fee: \$10.00***

***Late Fee: \$74.00***

Note: Use this form if you are requesting a continuing education variance per Minnesota Statutes section 148F.075, subd. 8.

If a licensee is unable to meet the continuing education requirements by the renewal date, the licensee may request a time-limited variance to fulfill the requirements after the renewal date. If a variance is granted, it will expire six months after the license renewal date. A licensee who is granted a variance but fails to complete the required continuing education within the six-month period may apply for a second variance.

**Instructions**

1. This form must be filled out completely and legibly for any review to take place. Incomplete forms will be returned to the requester for completion, delaying consideration of your request. Please be concise, and include all information necessary for the Board to consider your request. Attach additional sheets if necessary to fully provide the information requested.
2. Variance requests are subject to the criteria for rule variances in Minnesota Statutes section 14.055, subd. 4:

Subd. 4. **Discretionary variances.** An agency may grant a variance if the agency finds that:

- (1) application of the rule to the petitioner would result in hardship or injustice;
  - (2) variance from the rule would be consistent with the public interest; and
  - (3) variance from the rule would not prejudice the substantial legal or economic rights of any person or entity.
3. Pursuant to Minnesota Statutes section 148F.075, subd. 8 (b), the Board charges a \$10.00 fee for consideration of a variance request. Also, licensees requesting a continuing education variance are considered to be renewing late and are subject to the \$74.00 late renewal fee. Requests submitted without the applicable fee will be returned, delaying consideration of your request. This fee is **non-refundable**.
  4. Please include the following information with your request: this completed form, the \$10.00 processing fee, and the late renewal fee of \$74.00. All this must be received at the Board office with or prior to your completed renewal application
  5. This variance request must include a written plan listing the activities, including the dates and the number of hours for each, you propose completing in order to meet the

continuing education requirements. Continuing education hours completed after the renewal date pursuant to the written plan will count toward meeting only the requirements of the previous renewal period.

6. A variance granted under this provision expires six months after the renewal date. A licensee who is granted a variance but fails to complete the required continuing education within the six-month period may apply for a second variance by submitting a completed variance request form, the \$10 processing fee, and the late renewal fee of \$74.00. The second request should be received at the Board office anytime before the first extension expires.
7. If an initial variance is granted, and the licensee fails to complete the required continuing education within the six-month period, the license shall be administratively suspended until the licensee completes the required continuing education, unless the licensee has obtained a second variance according to 6 above (Minnesota Statutes section 148F.075, subd.8 (c) and (d)). If a second variance is granted and the licensee fails to complete their required continuing education within the second six-month period, the licensee shall be administratively suspended until the licensee completes the required continuing education.

**Variance Request**

1. Personal information:

Your Name: \_\_\_\_\_

License Number with BBHT (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

2. Cite the specific rule (number and title) from which you are requesting the variance.

\_\_\_\_\_

\_\_\_\_\_

3. Describe your reason for requesting a variance.

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\_\_\_\_\_

4. State the reasons which you believe justify granting of your variance request. (Note: your reasons must fall within either Minn. Stat. §14.055, subs. 3 or 4 in order for the Board to grant your request).

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5. Name(s), address(es) and telephone number(s) of any persons whom you know will be adversely affected if your variance is granted, if applicable.

\_\_\_\_\_

\_\_\_\_\_

*I hereby attest that the information contained in this variance request is true and accurate.*

\_\_\_\_\_  
Name/License Number (Print Legibly)

\_\_\_\_\_  
Signature of Requestor

\_\_\_\_\_  
Date

Minnesota Statutes section 148F.075, subd. 8. **Variance of continuing education requirements:**

(a) If a licensee is unable to meet the continuing education requirements by the renewal date, the licensee may request a time-limited variance to fulfill the requirements after the renewal date. A licensee seeking a variance is considered to be renewing late and is subject to the late renewal fee, regardless of when the request is received or whether the variance is granted.

(b) The licensee shall submit the variance request on a form designated by the board, include the variance fee subject to section [14.056, subdivision 2](#), and the late fee for license renewal under section [148F.115](#). The variance request is subject to the criteria for rule variances in section [14.055, subdivision 4](#), and must include a written plan listing the activities offered to meet the requirement. Hours completed after the renewal date pursuant to the written plan count toward meeting only the requirements of the previous renewal period.

(c) A variance granted under this subdivision expires six months after the license renewal date. A licensee who is granted a variance but fails to complete the required continuing education within the six-month period may apply for a second variance according to this subdivision.

(d) If an initial variance request is denied, the license of the licensee shall not be renewed until the licensee completes the continuing education requirements. If an initial variance is granted, and the licensee fails to complete the required continuing education within the six-month period, the license shall be administratively suspended until the licensee completes the required continuing education, unless the licensee has obtained a second variance according to paragraph (c).