

BEFORE THE MINNESOTA

BOARD OF EXECUTIVES FOR LONG-TERM SERVICES AND SUPPORTS

In the Matter of
Vincent Mikaye, LALD
License No. 2623

**STIPULATION AND
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Vincent Mikaye, LALD ("Licensee"), and the Minnesota Board of Executives for Long-Term Services and Supports ("Board") Standards of Practice Committee ("Committee") as follows:

I.

JURISDICTION

1. The Board is authorized pursuant to Minnesota Statutes chapter 144A to license and regulate assisted living directors and to take disciplinary action as appropriate.
2. Licensee holds a license from the Board to practice as an assisted living director in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Consent Order.

II.

BACKGROUND

1. Licensee is represented by Melissa Heinlein, Heinlein Law, located in Minneapolis. The Committee is represented by Alex Mountain, Assistant Attorney General.
2. The Committee held a conference with Licensee on December 1, 2025 to review the facts of this matter. After careful consideration of the information and discussion at the conference, the Committee determined it could resolve this matter by Stipulation and Consent Order imposing limitations and conditions on Licensee's license.

III.
FACTS

3. On July 26, 2021, the Board granted Licensee a license to practice as an Assisted Living Director (“ALD”) in Minnesota.

4. Since October 21, 2022, Licensee has been the Director of Record (“DOR”) for Universal Health Care Solution (HFID: 38008).

5. Licensee has also been approved for three shared assignments as follows:

Facility Name	HFID	Shared No.	Start Date	End Date
Live Well MN Home Healthcare	39991	1896	10/31/2024	10/19/2025
Universal Health Care Solution	40284	1895	10/31/2024	--
Allianze Healthcare LLC	40590	2108	6/25/25	---

6. On July 24, 2025, the Minnesota Department of Health (“MDH”) completed an investigation at Universal Health Care Solution, located in Bloomington, a facility in which Licensee is the owner, DOR, and registered nurse. MDH substantiated that the facility and Licensee were responsible for neglect of a resident, in violation of the Vulnerable Adults Act as provided in Minnesota Statute section 626.557, due to the following:

a. The resident started a fire in his room due to smoking with an oxygen tank present. Staff were unable to evacuate the resident, and he died.

b. Prior to the fire, staff continued to find evidence that the resident was smoking inside his room. Staff documented finding cigarettes inside the resident’s room, finding cigarettes and lighter inside a pillow, and observing the resident attempting to hide cigarettes in his pocket after staff assisted him with smoking.

c. Licensee reassessed the resident's smoking behaviors after several compliance issues and implemented new interventions to reduce the risk of smoking injury, but failed to document the resident's repeated non-compliance.

IV.

REGULATIONS

7. The Board views Licensee's conduct as inappropriate in such a way as to require Board action under Minnesota Rules 6400.7095, subparts 1.D. (failed to comply with the Vulnerable Adult Act); and 1.J. (failed to take good faith efforts to protect the safety and life of a resident). Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in this Stipulation and Consent Order.

V.

REMEDY

8. The Board places the following **CONDITIONS** and **LIMITATIONS** upon Licensee's license to practice as an assisted living director in the State of Minnesota:

A. Conditions

a. ***Compliance with MDH.*** While this Order remains in effect, Licensee and the facility at which Licensee is the Director of Record shall remain in compliance with the Minnesota Department of Health's ("MDH") rules and regulations. Any issuance of a level three Immediate Jeopardy ("IJ") tag of a facility that Licensee owns, or in which he is the listed DOR, shall be a violation of this Order. Additionally, any maltreatment findings for either Licensee or the facility in which Licensee is an owner or the listed DOR shall be considered a violation of this Order.

b. ***Independent Consultant.*** Within 60 days of the date of this Stipulation and Consent Order, Licensee must propose to the Committee the name of an Independent Consultant to provide reports to the Committee as described below. The Committee reserves the right to reject the consultant proposed by Licensee. If the Committee rejects the consultant proposed by Licensee, the Committee may require that Licensee submit additional names, or the Committee may provide Licensee with the name of a consultant.

c. ***Independent Consultant Sessions.*** Licensee shall meet with the Independent Consultant for no less than six hours per month for three months. Consultation sessions must include discussion of the following issues regarding Licensee's practice:

- Responsibility of the Licensed Assisted Living Director;
- Review of Vulnerable Adult reporting obligations;
- Review of proper discharge planning;
- Proper implementation of care plan interventions;
- Compliance with the Assisted Living statutes and rules and application of same to Licensee's practice; and
- Any other topic deemed relevant by the Independent Consultant.

d. ***Independent Consultant Reports.*** Licensee must ensure that the Committee receives at least two reports from the Independent Consultant. The first report must be provided within 30 days of the Committee's approval of the Independent Consultant, as described in paragraph 8.a. above. A subsequent report shall be submitted no later than 30 days after the final consultation session. Each report shall provide and/or address:

- 1) In the first report, evidence Licensee's Independent Consultant has received and reviewed a copy of this Stipulation and Consent Order and the relevant maltreatment report (Maltreatment Report #: HL380083402M);
- 2) Dates on which consulting sessions took place with Licensee;
- 3) A statement of issues discussed in consulting sessions; and
- 4) The Independent Consultant's opinion regarding any deficiencies with Licensee's practice concerning the areas identified for discussion in consulting sessions.

d. ***Licensee's Report on Independent Consultation Course and Attestation.***

Within 30 days of completing the consultation referenced above, Licensee must submit a report to the Committee that provides and addresses:

- 1) A brief statement of the topics covered in the consultation;
- 2) A detailed discussion of what Licensee has learned from the consultation;
- 3) A detailed discussion of how Licensee will apply the knowledge gained in the consultation to Licensee's future practice; and
- 4) Any other information Licensee believes would assist the Board in its ultimate review of this matter.

B. Limitations

9. ***No Shared Assignment.*** While this Order is in effect, Licensee may not serve as an LALD for more than three facilities at a time. Licensee's current shared assignment numbers 1895 and 2108 remain valid.

10. ***No Mentorship.*** While this Order is in effect, Licensee may not serve as a Mentor to an applicant for assisted living licensure, or to an Assisted Living Director In Residence (ALDIR).

C. Removal of Conditions and Limitations

11. The conditions and limitations upon Licensee's license will be administratively removed following at least twelve (12) months from the effective date of this Stipulation and Consent Order, and upon successful completion of the requirements set forth in paragraph 8 and written notification to Licensee by the Board of the removal of the conditions and limitations. The removal is effective upon written notification to Licensee by the Board of the removal of the conditions and limitations.

VI.

CONSEQUENCES FOR NONCOMPLIANCE

12. If Licensee fails to comply with or violates this Stipulation and Consent Order, the Committee may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least 20 days before the hearing, the Committee shall mail Licensee a notice of the violation(s) alleged by the Committee. In addition, the notice shall designate the time and place of the hearing. Within ten days after the notice is mailed, Licensee shall submit a written response to the allegations. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Committee, in its discretion, may schedule a conference with Licensee prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Committee and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Committee and Licensee may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. Unless stated otherwise in this Stipulation and Consent Order, the Committee shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Licensee has failed to submit a timely response to the allegations, Licensee may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Licensee waives a hearing before an administrative law judge, discovery, cross-

examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Licensee's correction of a violation prior to the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Committee not to seek discipline when it first learns of a violation will not waive the Committee's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Licensee's license is suspended or the suspension is stayed.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline.

f. Nothing herein shall limit the Committee's or the Board's right to temporarily suspend Licensee's license pursuant to Minnesota Statutes sections 214.077 or 148.755, based on a violation of this Stipulation and Consent Order or based on conduct of Licensee not specifically referred to herein.

VII.

ADDITIONAL INFORMATION

13. Licensee is responsible for all costs incurred as a result of compliance with this Stipulation and Consent Order.

14. In the event Licensee resides or practices outside the State of Minnesota, Licensee must promptly notify the Board in writing of the location of their residence and all work sites.

15. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

introduced in any disciplinary action by either party hereto except that Licensee agrees that should the Board reject this Stipulation, and if this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

16. Licensee waives any further hearings on this matter before the Board to which Licensee may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

17. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Office of the Minnesota Attorney General, the State of Minnesota and their agents, employees, and representatives which may otherwise be available to Licensee relative to the action taken or authorized against Licensee's license to practice as a licensed assisted living director under this stipulation.

18. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court. Licensee hereby acknowledges that they have read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

VIII.

DATA PRACTICES NOTICES

19. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. This Stipulation and Consent Order is a public document and will be sent to all appropriate data banks and entities consistent with Board policy.

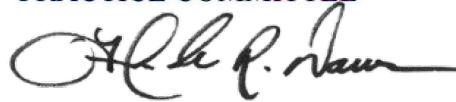
CONSENT:

LICENSEE


VINCENT MIKAYE, LALD

Dated: Jan 29, 2026

FOR THE STANDARDS OF
PRACTICE COMMITTEE



BOARD MEMBER

Dated: Feb 3, 2026

ORDER

Upon consideration of the Stipulation and all the files, records, and proceedings herein, the terms of the Stipulation are approved and adopted, and the recommended remedy set forth in the Stipulation is hereby issued as an Order of this Board effective this 22 day of April, 2026, 2025.

MINNESOTA BOARD
OF EXECUTIVES FOR LONG-TERM
SERVICES AND SUPPORTS



STEPHEN JOBE
Executive Director