Ending the Modifications to the Minnesota Sex Offender Program Licensing Requirements

In May 2020, the commissioner issued a waiver suspending or modifying certain Minnesota Sex Offender Program licensing requirements so that essential services could continue during the COVID-19 pandemic. On June 30, the Minnesota Legislature voted to end the state peacetime emergency effective Thursday, July 1, 2021, at 11:59 p.m. This means that some temporary modifications put in place during the COVID-19 peacetime emergency will be ending immediately while other modifications will end on August 30, 2021. The legislature only allowed DHS to extend some of the waivers for 60 days beyond the end of the peacetime emergency, after which providers must return to following all licensing requirements as provided in variance, rule, and statute. The license holder must resume meeting licensing requirements according to the following timelines.

Effective immediately on July 2, 2021:

1. DHS recommends that providers continue to follow COVID-19 guidance from the Minnesota Department of Health (MDH) and the Centers for Disease Control and Prevention (CDC).
2. Providers are no longer required to maintain and update a COVID-19 preparedness plan, however, providers may find their plan to be a useful resource in the event someone tests positive for COVID-19.

Effective on August 31, 2021 (60 days after the end of the peacetime emergency):

Effective August 31, 2021, your program must be fully compliant with all relevant variance requirements, statutes, and rules, including the following previously waived requirements that have not otherwise expired:

1. The program must resume completing annual updates to the multidisciplinary admission assessment.
2. The program must resume completing quarterly reviews for clients who have not consented to sex offender treatment and whose condition has remained unchanged.
3. A licensed mental health professional or a license-eligible psychologist must conduct an evaluation prior to the annual review for clients who are not receiving ongoing mental health services and who are not prescribed psychotropic medications.
4. The Officer of the Day must perform all functions as required and the license holder must not designate another person for these functions.
5. Orientation trainings on all required topics must be provided to all new staff persons.
6. The program must review and revise the overall staff development plan at least annually.