

**Minnesota Department of Human Services  
Office of Inspector General Licensing Division**

**NOTICE OF SUBMISSION OF RULES PROPOSED FOR ADOPTION WITHOUT A  
PUBLIC HEARING TO THE OFFICE OF ADMINISTRATIVE HEARINGS**

**Rules Relating to Licensing Staffing Requirements and Qualifications for Children's  
Residential Facilities and Detoxification Programs; Minnesota Rules, parts 2960.0460,  
2960.0470, 9530.6565, and 9530.6570; Revisor's ID Number 4770**

TO: ALL INTERESTED PERSONS

In accordance with Minnesota Statutes, section 14.388, subdivision 2, this Notice is being sent to all persons who have registered their name with the agency under Minnesota Statutes, section 14.14, subdivision 1a. This notice is also posted on the website of the Department of Human Services.

PLEASE TAKE NOTICE that the above-cited rules proposed for adoption will be submitted to the Office of Administrative Hearings on the date of this notice, January 3, 2023. A copy of the rule modification is attached to this notice.

All interested persons have five business days after the date of this notice to submit comments to the Office of Administrative Hearings via its eComments website at <https://minnesotaoah.granicusideas.com/discussions> or 600 North Robert Street, P.O. Box 64620 St. Paul, Minnesota 55164-0620

The Department of Human Services is using the good cause exempt rulemaking process to make the following changes as directed by the legislature in [Minnesota Laws 2022, Chapter 98, Article 12, Section 20](#):

- Amend Minnesota Rules, part 2960.0460, to remove all references to repealed Minnesota Rules, part 2960.0460, subpart 2;
- Amend Minnesota Rules, part 2960.0470, to require license holders to have written personnel policies that describe the process for disciplinary action, suspension, or dismissal of a staff person for violating the drug and alcohol policy described in Minnesota Statutes, section 245A.04, subdivision 1, paragraph (c), and Minnesota Rules, part 2960.0030, subpart 9;
- Amend Minnesota Rules, part 9530.6565, subpart 1, to remove items A and B and the documentation requirement that references these items; and
- Amend Minnesota Rules, part 9530.6570, subpart 1, item D, to remove the existing language and insert language to require license holders to have written personnel policies that describe the process for disciplinary action, suspension, or dismissal of a staff person for violating the drug and alcohol policy described in Minnesota Statutes, section 245A.04, subdivision 1, paragraph (c).

The law also allows for the Department to make these changes using the good cause exempt rulemaking process. These changes were part of a larger Department of Human Services

proposal to simplify program personnel policy requirements for staff with substance use problems and aligns these standards in statute for substance use disorder treatment programs and withdrawal management programs in addition to the changes directed for the rules for detoxification programs and children's residential facilities. All related statutory changes are in [MN Laws, Chapter 98, Article 12, Sections 4, 5, 13, 15, and 21](#). Section 21 also repeals Minnesota Rules, parts 2960.0460, subpart 2, and 9530.6565, subpart 2. The statutory changes go into effect on January 1, 2023.

Additionally, in these rule parts there are references to Minnesota Statutes, Chapter 148C, which was repealed and replaced with Chapter 148F in 2012. The Department is using the good cause exempt process to change these references accordingly as well.

The agency contact person is: Vanessa Vogl at the Department of Human Services, PO Box 0254, St. Paul, Minnesota, 55164-0254, telephone (651) 431-3168, email [vanessa.vogl@state.mn.us](mailto:vanessa.vogl@state.mn.us). For special accommodation you may contact Vanessa. Questions concerning the rules should be directed to Vanessa.

Date: January 3, 2023

A handwritten signature in blue ink, appearing to read "Amy Akbay". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amy Akbay, Chief General Counsel  
Minnesota Department of Human Services