



SOCIAL SERVICES DEPARTMENT  
1 Mendota Rd. W Ste. 300 West St Paul, MN 55118-4770  
651.554.6000 Fax 651.554.6043  
[www.co.dakota.mn.us](http://www.co.dakota.mn.us)

October 14, 2008

Dear :

An applicant background study was conducted pursuant to Minnesota Statutes, Chapter 245C. The required study indicates that you are disqualified from direct contact with, or access to, persons served by the program due to a preponderance of evidence of 609.2242 Domestic Assault which occurred on or around

The license holder was told that you are disqualified, but was not told why you are disqualified. Your disqualification may result in a licensing action under Minnesota Statutes, section 245A.06 or 245A.07, or the denial of a license under section 245A.05.

It has been determined that you pose an imminent risk of harm to persons served by the program. The following factors were the basis for this determination:

\*The vulnerability of the people for whom you wish to provide direct contact service. The clients in the program are adults with disabilities and are vulnerable because of their mental disabilities.

\*It has been less than 1 year since you committed the disqualifying offense. This type of offense is a disqualification for 7 years from the discharge of your sentence, including probation.

Therefore, Options Residential has been ordered to immediately remove you from direct contact with or access to, persons served by the program.

You have the right to request reconsideration of the disqualification. You must submit your request in writing within 30 calendar days after receiving this notice of the disqualification. In your written request, you must submit information showing the following:

- a) the information the Commissioner relied upon is incorrect; and/or
- b) you do not pose a risk of harm to any person served by the program.

Information considered in making the determination that you do not pose a risk of harm to any person served by the program includes:

- 1) the nature, severity, or consequences of the disqualifying event;
- 2) whether there is more than one disqualifying event;
- 3) the age and vulnerability of the victim at the time of the event;
- 4) the harm suffered by the victim;
- 5) the similarity between the victim and persons served by the program;
- 6) the time elapsed without a repeat of the same or similar event;
- 7) documentation of successful completion of training or rehabilitation pertinent to the event; and
- 8) any other information relevant to reconsideration.

Upon showing that the above information cannot be obtained within 30 days, you may request additional time, not to exceed 30 days.

Your request for reconsideration or request for additional time to obtain information must be submitted in writing within 30 calendar days to Kristi Filipiak, Dakota County Social Services, 1 Mendota Road W, West, St. Paul, MN 55118. If mailed, your request for reconsideration must be postmarked and sent to the county within 30 calendar days after receiving this letter. The licensing agency is obligated to forward your request to the Commissioner. Failure to request reconsideration will be treated by the Commissioner as acceptance by you of the disqualification.

Pursuant to Minnesota Statutes, section 245C.23, subdivision 1, if you request reconsideration and your disqualification is set aside, the license holder will be informed of the reason for your disqualification and that information about which factors were the basis of the decision to set aside the disqualification are available to the license holder without your consent. If a variance is granted, the license holder will be informed of the reason for your disqualification and the terms of the variance.

If you have further questions, please contact me at 651-554-6160. Enclosed is a form that may be used to request reconsideration.

Sincerely,

Social Worker  
Adult Foster Care Licensing

This information is available in other forms to people with disabilities by calling Dakota County at 651-554-6000. For TTY/TDD users, contact Dakota County through the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.