

LICENSING APPLICANT PRIVACY RIGHTS

The Minnesota Government Data Practices Act protects the rights of the people government agencies keep information about. It protects the privacy of sensitive documents. It also provides for the release of information, which the public has the right to know. As an applicant for licensure, this law applies to the information you give this agency.

EXAMPLES:

Public Data: Some of the information we collect about you is public, such as your name, address, number of persons you are licensed to provide care for, your telephone number, etc.

Private or Non-Public Data: Some information we maintain about you is private or non-public. That means you will be able to see it, but it will not be available to the public. This information includes any financial information you give us, such as insurance information and your social security number. It also includes personal data on other members of your family who may not be involved in your licensed operation. It includes the results of any medical or psychiatric examination you or member of your family are required to take in order to be licensed. It includes reports from the Bureau of Criminal Apprehension or to other law enforcement agency regarding criminal history. Sometimes your name and address can be withheld if you provide care for someone whose location needs to be kept secret in order to protect that person.

Confidential or Protected Non-Public Data: Some information may be withheld from you. This information may involve investigations if you or family members are investigated for a violation of rule or statute. It includes the names of reporters of child and vulnerable adult abuse. Some of this information will be available to you when the investigation becomes inactive or when the information presented to a court or hearing judge.

Private and confidential information we collect about you included in a report to the court or submitted to the court in a child protection hearing will become public pursuant to Minnesota Rules of Juvenile Procedure 44.01, except for the data specifically listed in Rule 44.04 of the Minnesota Rules of Juvenile Procedure.

PURPOSE: The information we ask you to provide will be used to:

1. Identify you from other applicants;
2. Determine if you meet license standards;
3. Investigate violations of rule or statute; and
4. Develop statistics and evaluate programs.

REQUIREMENTS AND CONSEQUENCES OF PROVIDING INFORMATION:

Authority for licensing programs is found in the following Minnesota Statutes and rules:

- Minnesota Statutes, Chapter 245A – Human Services Licensing Act
- Section 245A.143 - Family Adult Day Services (FADS)
- Minnesota Statutes, Chapter 245C – Human Services Background Studies Act
- Minnesota Statutes, Chapter 245D – Home and Community-based Services Standards
- Minnesota Rules, parts 2960.3000 – 2960.3340 – Child Foster Care rule
- Minnesota Rules, parts 9555.5105 – 9555.6265 – Adult Foster Care rule Minnesota Rules
- Minnesota Rules, parts 9502.0300 to 9502.0445 – Family Child Care

If you don't provide the information required, we may be unable to give you a license. If you already have a license, failure to provide the information may result in negative licensing action.

SHARING:

The information we have about you may be shared with employees of this agency who need the information to do their jobs. Information may be shared with other agencies of the welfare system if you move and apply to be licensed by another agency, or if required to provide services to a particular client. The agencies of the welfare system are:

- The Minnesota Department of Human Services;
- County welfare agencies;
- Human Service Boards;
- State hospitals and nursing homes;
- Community mental health centers;
- Ombudsman for mental health or mental retardation; and
- Other agencies under contract to the extent of the contract.

The law provides that the following agencies or individuals may see and have copies of the data:

- Appropriate parties in an emergency;
- Parents, guardians, or other persons acting as parents or guardians if the law requires it;
- Law enforcement officers, county attorney, or other agents of the system who are investigating a licensed program; and
- Minnesota Department of Health to report communicable diseases.

OTHER RIGHTS:

- You have the right to know if we have information about you.
- You have the right to see all public, private and non-public information about you that we keep. This includes the right to authorize other persons to see or have copies of it if you sign a consent for the release of information.
- You have the right to have information explained to you.
- You have the right to have copies of the data you can see. You may have to pay for the cost of the copies.
- You have the right to challenge the accuracy and completeness of any private information we have about you. If you want to challenge any information, write to the director of this licensing agency.
- You have the right to insert your own explanation of anything you object to in your records.

This notice applies to all current and future contacts you have with this agency, whether those contacts are in person, over the phone, by mail or electronic communications.

I have read my rights and understand them.

Signature of Applicant _____ Date _____

Signature of Applicant _____ Date _____