



## MINNESOTA DELEGATION/RESCISSION OF AUTHORITY

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1. DEPARTMENT (AGENCY, BUREAU, ETC.)  
Health

2. NAME OF DESIGNEE (INCLUDE TITLE)  
Diana Kasa  
Appeals Coordinator

3. PERSON DELEGATING/RESCINDING (INCLUDE TITLE)

Jeanne M. Danaher, JD, Acting Commissioner



#### 4. Choose one of the following actions:

☒ I hereby **DELEGATE** the powers and/or duties listed in No. 6 to the above named designee, effective:

January 3, 2011  
Month Day Year

☒ I hereby **RESCIND** all prior delegations of authority on file for the above named person effective:

January 3, 2011  
Month Day Year

5. **AUTHORITY CITED:** ☒ Pursuant to: M.S. 15.06, Subd. 6  
(Please check all that apply) ☐ Pursuant to: M.S. 16C.03, Subd. 16  
(By the Commissioner of Administration)  
☐ Pursuant to: M.S. \_\_\_\_\_

6. If you are delegating powers and/or duties, mark the appropriate line(s) below.

☐ EXECUTE CONTRACTS  
(Provide details below)

☐ SIGN PURCHASING DOCUMENTS  
(Provide details below)

☒ OTHER (Provide details below)

#### DETAILS:

A. I hereby delegate to Diana Kasa the authority to:

- i. Review requests for administrative reconsideration or variances submitted pursuant to Minnesota Statutes, section 144.057, seeking either set asides of or variances to disqualification determinations made by the Department of Human Services under Minnesota Statutes, chapter 245C. Under the terms of chapter 245C, either grant or deny the requests, rescind set asides, and terminate variances. This delegation does not include the authority to grant set asides of or to approve variances to disqualifications that are based upon convictions or preponderance of the evidence determinations of sex offenses and other violent crimes as defined in Minnesota Statutes, section 609.1095, subdivision 1 (d).
- ii. Decide whether to oppose in the district court petitions for expungement of criminal records in the possession of the Department of Health. This delegation does not include the authority to decide whether to oppose petitions for expungement when the criminal records in possession of the Department of Health relate to sex offenses and other violent crimes as defined in Minnesota Statutes, section 609.1095, subdivision 1 (d).

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## Delegation/Rescission of Authority of Diana Kasa

iii. With respect to administrative contested care hearings relating to the involuntary discharge or transfer of health care facility residents or patients initiated under Minnesota Statutes, sections 144A.135 and 144.651, subdivision 29;

- Upon request for initiation of a contested case proceeding, execute and serve upon all the parties and the Office of Administrative Hearings a Notice of and Order for Hearing. When the only issue is whether a health care facility may involuntarily discharge or transfer a patient or resident for failure to pay for the services provided, the Notice of and Order for Hearing shall also direct, as provided in Minnesota Statutes, section 14.57 (a), that the report or order of the administrative law judge constitutes the final decision in the case but only if the administrative law judge gives all interested parties to the proceeding the opportunity to address the appropriateness and safety of the location to which the resident will be discharged.
- Review case records and based thereon render decisions, and execute and serve the Commissioner's final orders.

iv. Determine eligibility for proceeding *in forma pauperis* according to Minnesota Statutes, section 563.01 and Minnesota Rules of Appellate Procedure 103.01, subdivision 3(a) and Rule 109.

B. This delegation includes the exercise of authority contained in any amendments to the above referenced statutes and any rules promulgated thereunder that take effect after the effective date of this order.

C. This delegation shall continue at the pleasure of the Commissioner until Diana Kasa resigns or otherwise leaves or ceases to function in the position indicated above or until the delegation is revoked or otherwise terminated in accordance with law.

D. I hereby affirm and ratify all actions taken by Diana Kasa in conformity with this delegation prior to its effective date while serving in the capacity of Appeals Coordinator.

## 7. SIGNATURES

  
DELEGATING/RESCINDING AUTHORITY

  
DESIGNEE

## 8. Copies to:

Secretary of State (Original)  
MDH Executive Office  
MDH Finance and Facilities Management  
MDH Human Resources  
Attorney General's Office  
Designee

RESERVED FOR USE BY THE SECRETARY OF  
STATE

