

**Effective 5/10/2016**

**62A-2-108 Licensure requirements -- Expiration -- Renewal.**

- (1) Except as provided in Section 62A-2-110, a person, agency, firm, corporation, association, or governmental unit, acting severally or jointly with any other person, agency, firm, corporation, association, or governmental unit, may not establish, conduct, or maintain a human services program in this state without a valid and current license issued by and under the authority of the office as provided by this chapter and the rules under the authority of this chapter.
- (2)
  - (a) For purposes of this Subsection (2), "member" means a person or entity that is associated with another person or entity:
    - (i) as a member;
    - (ii) as a partner;
    - (iii) as a shareholder; or
    - (iv) as a person or entity involved in the ownership or management of a human services program owned or managed by the other person or entity.
  - (b) A license issued under this chapter may not be assigned or transferred.
  - (c) An application for a license under this chapter shall be treated as an application for reinstatement of a revoked license if:
    - (i)
      - (A) the person or entity applying for the license had a license revoked under this chapter; and
      - (B) the revoked license described in Subsection (2)(c)(i)(A) is not reinstated before the application described in this Subsection (2)(c) is made; or
    - (ii) a member of an entity applying for the license:
      - (A)
        - (I) had a license revoked under this chapter; and
        - (II) the revoked license described in Subsection (2)(c)(ii)(A)(I) is not reinstated before the application described in this Subsection (2)(c) is made; or
      - (B)
        - (I) was a member of an entity that had a license revoked under this chapter at any time before the license was revoked; and
        - (II) the revoked license described in Subsection (2)(c)(ii)(B)(I) is not reinstated before the application described in this Subsection (2)(c) is made.
- (3) A current license shall at all times be posted in the facility where each human services program is operated, in a place that is visible and readily accessible to the public.
- (4)
  - (a) Except as provided in Subsection (4)(c), each license issued under this chapter expires at midnight 12 months from the date of issuance unless it has been:
    - (i) previously revoked by the office; or
    - (ii) voluntarily returned to the office by the licensee.
  - (b) A license shall be renewed upon application and payment of the applicable fee, unless the office finds that the licensee:
    - (i) is not in compliance with the:
      - (A) provisions of this chapter; or
      - (B) rules made under this chapter;
    - (ii) has engaged in a pattern of noncompliance with the:
      - (A) provisions of this chapter; or
      - (B) rules made under this chapter;
    - (iii) has engaged in conduct that is grounds for denying a license under Section 62A-2-112; or

- (iv) has engaged in conduct that poses a substantial risk of harm to any person.
- (c) The office may issue a renewal license that expires at midnight 24 months after the day on which it is issued if:
  - (i) the licensee has maintained a human services license for at least 24 months before the day on which the licensee applies for the renewal; and
  - (ii) the licensee has not violated this chapter or a rule made under this chapter.
- (5) Any licensee that is in operation at the time rules are made in accordance with this chapter shall be given a reasonable time for compliance as determined by the rule.
- (6)
  - (a) A license for a human services program issued under this section shall apply to a specific human services program site.
  - (b) A human services program shall obtain a separate license for each site where the human services program is operated.

Amended by Chapter 211, 2016 General Session