

State of Minnesota

H. F. No. 1391

2.1 (2) recommend that a client contact the home care provider if the dismissed or terminated
2.2 staff person seeks to continue to provide home care services to the client.

2.3 Sec. 3. Minnesota Statutes 2020, section 148.263, subdivision 2, is amended to read:

2.4 Subd. 2. **Institutions.** The chief nursing executive or chief administrative officer of any
2.5 hospital, clinic, prepaid medical plan, home care provider licensed under chapter 144A, or
2.6 other health care institution or organization located in this state shall report to the board any
2.7 action taken by the institution ~~or~~, organization, or provider, or any of its administrators or
2.8 committees to revoke, suspend, limit, or condition a nurse's privilege to practice in the
2.9 institution, or as part of the organization, any denial of privileges, any dismissal from
2.10 employment, or any other disciplinary action. The institution ~~or~~, organization, or provider
2.11 shall also report the resignation of any nurse before the conclusion of any disciplinary
2.12 proceeding, or before commencement of formal charges, but after the nurse had knowledge
2.13 that formal charges were contemplated or in preparation. The reporting described by this
2.14 subdivision is required only if the action pertains to grounds for disciplinary action under
2.15 section 148.261 and the reporting must specify the grounds for disciplinary action that led
2.16 to the employment action.

2.17 Sec. 4. Minnesota Statutes 2020, section 214.103, subdivision 2, is amended to read:

2.18 Subd. 2. **Receipt of complaint.** The boards shall receive and resolve complaints or other
2.19 communications, whether oral or written, against regulated persons. Before resolving an
2.20 oral complaint, the executive director or a board member designated by the board to review
2.21 complaints shall require the complainant to state the complaint in writing or authorize
2.22 transcribing the complaint. The executive director or the designated board member shall
2.23 determine whether the complaint alleges or implies a violation of a statute or rule which
2.24 the board is empowered to enforce. The executive director or the designated board member
2.25 may consult with the designee of the attorney general as to a board's jurisdiction over a
2.26 complaint. If the executive director or the designated board member determines that it is
2.27 necessary, the executive director may seek additional information to determine whether the
2.28 complaint is jurisdictional or to clarify the nature of the allegations by obtaining records or
2.29 other written material, obtaining a handwriting sample from the regulated person, clarifying
2.30 the alleged facts with the complainant, and requesting a written response from the subject
2.31 of the complaint. The executive director may authorize a field investigation to clarify the
2.32 nature of the allegations and the facts that led to the complaint. The executive director or a
2.33 designated board member may conduct a site visit to inspect records pertaining to the

- 3.1 complaint, during which the institution, organization, or provider must provide the executive
- 3.2 director or designated board member with access to all applicable records.