

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1604

03/18/2013 Authored by Abeler and Winkler

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

04/02/2013 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act
 1.2 relating to health; requiring reporting of diverted narcotics or controlled
 1.3 substances; amending Minnesota Statutes 2012, section 214.33, by adding a
 1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 214.33, is amended by adding a
 1.7 subdivision to read:

1.8 Subd. 5. **Employer mandatory reporting.** (a) An employer of a person licensed
 1.9 or regulated by a health-related licensing board listed in section 214.01, subdivision 2,
 1.10 and health care institutions and other organizations where the licensed or regulated health
 1.11 care professional is engaged in providing services, shall report to the appropriate licensing
 1.12 board that the licensee or regulated person has diverted narcotics or other controlled
 1.13 substances in violation of state or federal narcotics or controlled substance law when:

1.14 (1) the employer or entity making the report has knowledge of the diversion; and

1.15 (2) the licensee or regulated person has diverted narcotics from the reporting
 1.16 employer or organization or at the reporting institution.

1.17 (b) Subdivision 1 does not waive the requirement to report under this subdivision.

1.18 (c) The requirement to report under this subdivision does not apply to licensees
 1.19 or regulated persons who are self-employed or if the knowledge was obtained in the
 1.20 course of a professional-patient relationship if the patient is licensed or regulated by
 1.21 a health licensing board.