

instalments, may make a charge for such loan computed at a rate not exceeding six per cent per annum upon the total amount of the loan from the date thereof until the stated maturity date of the final instalment thereof, which shall not exceed three years from the date of the loan, notwithstanding that such loan is required to be repaid in instalments or that the loan is secured by mortgage, pledge, or other collateral or by a deposit account opened concurrently with the making of the loan and assigned as collateral security therefor, which deposit may evidence deposits made or required to be made periodically, with or without interest, throughout the term of said loan. If the charge so computed shall be less than \$3.00, the amount so charged may nevertheless be \$3.00. Any charge authorized by sections 48.153 to 48.157 may be deducted in advance from the proceeds of such loan or may be included in the principal amount of the note or other instrument evidencing said loan and the aggregate amount thereof be payable in instalments.

Approved April 20, 1955.

CHAPTER 617—S. F. No. 557

[Coded in Part]

An act relating to licensed practical nurses; amending Minnesota Statutes 1953, Sections 148.29, 148.291, Subdivision 4, Sections 148.292, 148.293 and 148.294.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 148.29, is amended to read:

148.29 Definitions. *Subdivision 1. For the purposes of this act, the terms defined in this section have the meanings ascribed to them.*

Subd. 2. "Board" means "Minnesota Board of Nursing", and for the purposes of sections 148.29 to 148.294 only, three additional members shall be appointed by the governor, one of whom shall be a doctor of medicine duly licensed and registered in this state, one of whom shall be an administrator or superintendent of a licensed hospital located outside of a city of the first class, and one of whom shall be a duly licensed and registered practical nurse.

When these three positions next become vacant after July 1, 1955, the governor shall appoint one member to a one year

term, one member to a two year term, and one member to a three year term; thereafter each new appointment shall be for three year term. Members shall hold office until a successor is appointed and qualifies.

Subd. 3. "Licensed Practical Nurse", abbreviated L. P. N., means "a person licensed by the Minnesota Board of Nursing to practice practical nursing".

Subd. 4. "The practice of nursing by a Licensed Practical Nurse" means "the performing for compensation or personal profit, services required in the nursing care of the sick, not involving the specialized education, knowledge and skill required in professional nursing".

Sec. 2. Minnesota Statutes 1953, Section 148.291, subdivision 4, is amended to read:

Subd. 4. Fees. The applicant applying for a license to practice as a Licensed Practical Nurse shall pay a fee of \$15 to the board. Any applicant applying for re-examination shall pay a fee of \$5.

Sec. 3. Minnesota Statutes 1953, Section 148.293, is amended to read:

148.292 Accredited program. The Board shall determine and formulate what constitutes an accredited *program* and cause the same to be written and filed with the Secretary of the Board. The Board may amend *said* requirements from time to time and any such amendment shall also be written and filed with the Secretary of the Board.

Sec. 4. Minnesota Statutes 1953, Section 148.292, is amended to read:

148.293 Violations, exemptions. It shall be a misdemeanor for any person to *represent himself or herself as a licensed practical nurse or practical nurse unless such person is licensed by the board, but Sections 148.29 to 148.294 shall not prohibit any person from nursing the sick for hire, who does not in any way assume or represent to be a "Licensed Practical Nurse"*.

Sec. 5. Minnesota Statutes 1953, Section 148.294, is amended to read:

148.294 Registration. Subdivision 1. Annual. Every Licensed Practical Nurse shall register annually with the board *for each calendar year and pay a fee of \$1 on or before December 31 of the immediately preceding year; thereupon the board shall issue a certificate of renewal registration. A*

penalty fee of \$1 shall be added for renewal registration applications postmarked after December 31 of the immediately preceding year.

Subd. 2. Failure to re-register. A person licensed under the provisions of section 148.291 who fails to re-register within the period hereinbefore provided shall be deemed delinquent and shall not be entitled to practice nursing in this state as a licensed practical nurse, until an application for renewal registration has been filed with the board accompanied by \$1 registration fee for each calendar year during which said applicant has been delinquent, and a certificate of re-registration issued to such person.

Subd. 3. Notice of temporary retirement. A person licensed under the provisions of section 148.291 who desires to retire from practice temporarily, shall send a written notice to the board. Upon the receipt of such notice the board shall place the name of such person on the non-practicing list. While so remaining on this list, the person shall not be subject to the payment of any fees, and shall not practice nursing in this state. When such person desires to resume practice he or she shall make application for re-registration and pay the annual registration fee for the current year to the board, and the registration certificate shall be issued to such applicant, and such person shall immediately be placed on the practicing list as a licensed practical nurse.

Sec. 6. [148.296] Board; rules, expenses. **Subdivision 1.** The board is authorized to adopt rules as may be necessary to effectuate the provisions of sections 148.29 to 148.294. It has power to issue subpoenas, and to compel the attendance of witnesses, and to administer oaths. It shall cause the prosecution of all persons violating section 148.29 to 148.294.

Subd. 2. Each member of the board shall receive, in addition to necessary traveling and hotel expenses, \$10 per day for each day actually engaged in the discharge of board duties, including travel time.

Sec. 7. [148.297] Licenses, licensees; powers of board. **Subdivision 1.** The board shall have power to deny, revoke or suspend any license to practice nursing issued by the board or applied for in accordance with the provisions of sections 148.29 to 148.294, or to otherwise discipline a licensee upon proof that the person:

(1) Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing as a practical nurse;

(2) *Is guilty of gross immorality or of a crime, except misdemeanors;*

(3) *Is unfit or incompetent by reason of negligence, habits or other causes;*

(4) *Is habitually intemperate or is addicted to the use of habit-forming drugs;*

(5) *Is mentally incompetent;*

(6) *Has wilfully or repeatedly violated any of the provisions of sections 148.29 to 148.294.*

Subd. 2. Before the board shall order any such suspension or revocation it shall cause an investigation to be made. It shall issue a citation under its seal, signed by the secretary, directing the licensee to show cause on a day certain why her license should not be suspended or revoked on the grounds specified therein. The licensee shall be given 20 days' notice of the hearing, and is entitled to representation by counsel. A stenographic record shall be kept of the proceedings. The action of the board in suspending or revoking a license hereunder is subject to review by the district court.

Subd. 3. Any practical nurse whose license is suspended or revoked may be reinstated or a new license issued to her when in the discretion of the board such action is warranted. The nurse shall pay all the costs of the proceedings resulting in the suspension or revocation of the license and reinstatement of a license and a fee of \$15.

Sec. 8. *This act shall take effect July 1, 1955.*

Approved April 20, 1955.

CHAPTER 618—S. F. No. 956

An act relating to county agricultural societies and associations; amending Minnesota Statutes 1953, Sections 38.01, 38.02, Subdivision 1, 2 and 3, 38.03; repealing Minnesota Statutes 1953, Sections 38.011, 38.012 and 38.06 to 38.11.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 38.01, is amended to read:

38.01 County agricultural societies. An agricultural society or association may be incorporated by citizens of any