

Any applicant who has held a license as an agent for a specific line within three years prior to his application or renewal application shall be entitled to a renewal of his license for that line without examination.

(4) **EXCEPTIONS.** (a) Any officer of a licensed insurer may, without license or other qualification, act in its behalf in the negotiation and consummation of insurance and appoint agents for the company.

(b) Where the agent or solicitor has previously filed with the commissioner such an application, the commissioner may renew his license without requiring further application.

(c) No agent or solicitor licensed on January 1, 1944, shall be required to take an examination to determine his competence to transact business in the lines of insurance for which he was licensed on that date. No insurance agent for a fraternal benefit association shall be required to take an examination to become eligible for an agent's or solicitor's license if it is certified by one or more licensed fraternal benefit associations that such agent has been acting in the capacity of an agent prior to January 1, 1971.

(d) No examination or program of studies or study course shall be required of an applicant for a license as a non-resident agent who is duly licensed as an agent or broker in the state of his residence, provided such state requires no like examination of licensed agents of this state.

Sec. 3. This act shall be effective September 1, 1971.

Approved May 14, 1971.

CHAPTER 283—H.F.No.1007

[Coded]

An act relating to review organizations; limiting liability of persons furnishing information to and serving on review organizations; providing for the confidentiality of records of review organizations; providing penalties for disclosure.

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

Section 1. [145.61] **HEALTH; REVIEW ORGANIZATIONS; DEFINITIONS.** Subdivision 1. As used in this act the terms defined in this section have the meanings given them.

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Subd. 2. "Professional" means a person licensed to practice a healing art under Minnesota Statutes 1969, Chapter 147, or Chapter 148, to practice dentistry under Minnesota Statutes 1969, Chapter 150A, to practice as a pharmacist under Minnesota Statutes 1969, Chapter 151, or to practice podiatry under Minnesota Statutes 1969, Chapter 153.

Subd. 3. "Professional service" means service rendered by a professional of the type such professional is licensed to perform.

Subd. 4. "Health care" means professional services rendered by a professional or an employee of a professional and services furnished by a hospital, sanatorium, rest home, nursing home, boarding home or other institution for the hospitalization or care of human beings.

Subd. 5. "Review organization" means a committee whose membership is limited to professionals, and which is established by a hospital, by one or more state or local associations of professionals, or by an organization of professionals from a particular area or medical institution, to gather and review information relating to the care and treatment of patients for the purposes of:

(a) Evaluating and improving the quality of health care rendered in the area or medical institution;

(b) Reducing morbidity or mortality;

(c) Obtaining and disseminating statistics and information relative to the treatment and prevention of diseases, illness and injuries;

(d) Developing and publishing guidelines showing the norms of health care in the area or medical institution; and

(e) Developing and publishing guidelines designed to keep within reasonable bounds the cost of health care.

Sec. 2. [145.62] LIMITATION ON LIABILITY FOR PERSONS PROVIDING INFORMATION TO REVIEW ORGANIZATION. No person, firm, or corporation providing information to a review organization shall be subject to any action for damages or other relief, by reason of having furnished such information, unless such information is false and the person providing such information knew, or had reason to believe, such information was false.

Sec. 3. [145.63] LIMITATION ON LIABILITY FOR MEMBERS OF REVIEW ORGANIZATIONS. No person who is a member or employee of, or who furnishes counsel or services to, a review organization shall be liable for damages or other relief in any action brought by a person or persons whose activities have been or are being scrutinized or reviewed by a review organization, by reason of the performance by him of any duty, function or activity of such

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review organization, unless the performance of such duty, function or activity was motivated by malice toward the person affected thereby.

Sec. 4. **[145.64] CONFIDENTIALITY OF RECORDS OF REVIEW ORGANIZATION.** All data and information acquired by a review organization, in the exercise of its duties and functions, shall be held in confidence, shall not be disclosed to anyone except to the extent necessary to carry out one or more of the purposes of the review organization, and shall not be subject to subpoena or discovery. No person described in section 3 of this act shall disclose what transpired at a meeting of a review organization except to the extent necessary to carry out one or more of the purposes of a review organization.

Sec. 5. **[145.65] GUIDELINES NOT ADMISSIBLE IN EVIDENCE.** No guideline established by a review organization shall be admissible in evidence in any proceeding brought by or against a professional by a person to whom such professional has rendered professional services.

Sec. 6. **[145.66] PENALTY FOR VIOLATION.** Any disclosure other than that authorized by section 4 of this act, of data and information acquired by a review committee or of what transpired at a review meeting, is a misdemeanor.

Sec. 7. **[145.67] PROTECTION OF PATIENT.** Nothing contained in this act shall be construed to relieve any person of any liability which he has incurred or may incur to a patient as a result of furnishing health care to such patient.

Approved May 14, 1971.

CHAPTER 284—H.F.No.1276

An act relating to retirement allowances for employees of cities of the first class; amending Minnesota Statutes 1969, Section 422.09.

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

Section 1. Minnesota Statutes 1969, Section 422.09, is amended to read:

422.09 CITIES OF FIRST CLASS; EMPLOYEES; RETIREMENT ALLOWANCES; REFUNDS. If an employee to whom this

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