

Notwithstanding Minnesota Statutes, sections 16B.24 and 268.026 or chapter 94, the commissioner of administration, in consultation with the commissioner of jobs and training, is authorized to buy and sell real property in Minneapolis and the greater Minneapolis area for the purpose of relocating department offices to locations more accessible to the residents of Minneapolis and colocating with other social service agencies.

Sec. 6. EFFECTIVE DATE.

Sections 1 to 5 are effective the day following final enactment.

Approved April 26, 1988

---

CHAPTER 642—H.F.No. 2269

*An act relating to health; providing equal access to chiropractic services; providing for the licensure of doctors of chiropractic; permitting a return of premium benefit in certain cases; requiring coverage for routine screening procedures for cancer in certain cases; amending Minnesota Statutes 1986, sections 62A.04, by adding a subdivision; 62A.15, subdivisions 1, 2, and 4; Minnesota Statutes 1987 Supplement, sections 148.06, subdivision 1; and 169.345, subdivisions 2a and 3; proposing coding for new law in Minnesota Statutes, chapter 62A.*

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

Section 1. Minnesota Statutes 1986, section 62A.04, is amended by adding a subdivision to read:

Subd. 10. RETURN OF PREMIUM. A policy of accident and sickness insurance as defined in section 62A.01 may contain or may be amended by rider to provide for a return of premium benefit so long as:

(1) the return of premium benefit is not applicable until the policy has been in force for five years;

(2) the return of premium benefit is not reduced by an amount greater than the aggregate of any claims paid under the policy;

(3) the return of premium benefit is not included in or used with a policy with benefits that are reduced based on an insured's age;

(4) the return of premium benefit is not payable in lieu of benefits at the option of the insurer;

(5) the insurer demonstrates that the reserve basis for such benefit is adequate; and

(6) the cost of the benefit is disclosed to the insured and the insured is given the option of the coverage.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1986, section 62A.15, subdivision 1, is amended to read:

Subdivision 1. **APPLICABILITY.** The provisions of this section apply to all group policies or subscriber contracts providing payment for care in this state, which are issued ~~or renewed after August 1, 1973 for chiropractic services, after August 1, 1976, for optometric services, and which are issued or renewed after the effective date of this section for services of a registered nurse meeting the requirements of subdivision 3a,~~ by accident and health insurance companies regulated under this chapter and nonprofit health service plan corporations regulated under chapter 62C.

Sec. 3. Minnesota Statutes 1986, section 62A.15, subdivision 2, is amended to read:

Subd. 2. **CHIROPRACTIC SERVICES.** All benefits provided by any policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a physician must also include chiropractic treatment and services of a chiropractor to the extent that the chiropractic services and treatment are within the scope of chiropractic licensure.

This subdivision is intended to provide equal access to benefits for insureds and subscribers who choose to obtain treatment for illness or injury from a doctor of chiropractic, as long as the treatment falls within the chiropractor's scope of practice. This subdivision is not intended to change or add to the benefits provided for in these policies or contracts.

Sec. 4. Minnesota Statutes 1986, section 62A.15, subdivision 4, is amended to read:

Subd. 4. **DENIAL OF BENEFITS.** (a) No carrier referred to in subdivision 1 may, in the payment of claims to employees in this state, deny benefits payable for services covered by the policy or contract if the services are lawfully performed by a licensed chiropractor, licensed optometrist, or a registered nurse meeting the requirements of subdivision 3a.

(b) When carriers referred to in subdivision 1 make claim determinations concerning the appropriateness, quality, or utilization of chiropractic health care for Minnesotans, any of these determinations that are made by health care professionals must be made by, or under the direction of, or subject to the review of doctors of chiropractic licensed under the provisions of sections 148.01 to 148.104.

Sec. 5. **[62A.30] COVERAGE FOR DIAGNOSTIC PROCEDURES FOR CANCER.**

Subdivision 1. SCOPE OF COVERAGE. This section applies to all policies of accident and health insurance, health maintenance contracts regulated under chapter 62D, health benefit certificates offered through a fraternal beneficiary

New language is indicated by underline, deletions by ~~strikeout~~.

association regulated under chapter 64B, and group subscriber contracts offered by nonprofit health service plan corporations regulated under chapter 62C, but does not apply to policies designed primarily to provide coverage payable on a per diem, fixed indemnity or nonexpense incurred basis, or policies that provide only accident coverage.

Subd. 2. REQUIRED COVERAGE. Every policy, plan, certificate, or contract referred to in subdivision 1 issued or renewed after August 1, 1988, that provides coverage to a Minnesota resident must provide coverage for routine screening procedures for cancer, including mammograms and pap smears, when ordered or provided by a physician in accordance with the standard practice of medicine.

Sec. 6. Minnesota Statutes 1987 Supplement, section 148.06, subdivision 1, is amended to read:

Subdivision 1. **LICENSE REQUIRED; QUALIFICATIONS.** No person shall practice chiropractic in this state without first being licensed by the state board of chiropractic examiners. The applicant shall have earned at least one-half of all academic credits required for awarding of a baccalaureate degree from the University of Minnesota, or other university, college or community college of equal standing, in subject matter determined by the board, and taken a four-year resident course of at least eight months each in a school or college of chiropractic that is fully accredited by the council on chiropractic education or fully accredited by an agency approved by the United States office of education or their successors as of January 1, 1988. The board may issue licenses to practice chiropractic without compliance with prechiropractic or academic requirements listed above if in the opinion of the board the applicant has the qualifications equivalent to those required of other applicants, the applicant satisfactorily passes written and practical examinations as required by the board of chiropractic examiners, and the applicant is a graduate of a college of chiropractic with a reciprocal recognition agreement with the council on chiropractic education as of January 1, 1988. The board may recommend a two-year prechiropractic course of instruction to any university, college or community college which in its judgment would satisfy the academic prerequisite for licensure as established by this section.

An examination for a license shall be in writing and shall include testing in:

(a) The basic sciences including but not limited to anatomy, physiology, bacteriology, pathology, hygiene, and chemistry as related to the human body or mind;

(b) The clinical sciences including but not limited to the science and art of chiropractic, chiropractic physiotherapy, diagnosis, roentgenology and nutrition; and

(c) Professional ethics and any other subjects that the board may deem advisable.

New language is indicated by underline, deletions by ~~strikeout~~.

The board may consider a valid certificate of examination from the National Board of Chiropractic Examiners as evidence of compliance with the written examination requirements of this subdivision. The applicant shall be required to give practical demonstration in vertebral palpation, neurology, adjusting and any other subject that the board may deem advisable. A license, countersigned by the members of the board and authenticated by the seal thereof, shall be granted to each applicant who correctly answers 75 percent of the questions propounded in each of the subjects required by this subdivision and meets the standards of practical demonstration established by the board. Each application shall be accompanied by a fee set by the board. The fee shall not be returned but the applicant may, within one year, apply for examination without the payment of an additional fee. The board may grant a license to an applicant who holds a valid license to practice chiropractic issued by the appropriate licensing board of another state ~~or country~~, provided the applicant meets the other requirements of this section and satisfactorily passes the practical examination before the board. The burden of proof is on the applicant to demonstrate these qualifications or satisfaction of these requirements.

Sec. 7. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 2a, is amended to read:

Subd. 2a. **PHYSICIAN'S OR CHIROPRACTOR'S STATEMENT.** The commissioner shall develop a form for the physician's or chiropractor's statement. The statement must be signed by a licensed physician or chiropractor who certifies that the applicant is a physically handicapped person as defined in subdivision 2. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility. The physician's statement that the applicant is a physically handicapped person must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician or chiropractor as to the duration of the disability. A physician or chiropractor who fraudulently certifies to the commissioner that a person is a physically handicapped person as defined in subdivision 2, and that the person is entitled to the license plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

Sec. 8. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 3, is amended to read:

Subd. 3. **IDENTIFYING CERTIFICATE.** (a) The division of driver and vehicle services in the department of public safety shall issue a special identifying certificate for a motor vehicle when a physically handicapped applicant submits a physician's statement of a physician or chiropractor. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet. The certificate is valid for the duration of the person's disability, as specified in the physician's or chiropractor's statement, up to a maximum of six years. A person with a disability of longer duration will be

New language is indicated by underline, deletions by ~~strikeout~~.

required to renew the certificate for additional periods of time, up to six years each, as specified in the physician's or chiropractor's statement.

(b) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting physically handicapped persons, the division may issue without charge a special identifying certificate for the vehicle. The operator of a vehicle displaying the certificate has the parking privileges provided in subdivision 1 while the vehicle is in use for transporting physically handicapped persons. The certificate issued to a person transporting physically handicapped persons must be renewed every third year. On application and renewal, the person must present evidence that the vehicle continues to be used for transporting physically handicapped persons.

(c) A certificate must be made of plastic or similar durable material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under paragraph (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle in which it is used. The commissioner may charge a fee of \$5 for issuance or renewal of a certificate, and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged certificate.

Approved April 26, 1988

---

#### CHAPTER 643—H.F.No. 2340

*An act relating to crime; law enforcement; requiring the reporting of crimes motivated by bias; requiring the peace officer standards and training board to mandate pre-service training for peace officers in recognizing, responding to, and reporting crimes of bias; requiring the board to make similar instructional materials available to peace officers for continuing education credit; proposing coding for new law in Minnesota Statutes, chapter 626.*

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

#### Section 1. [626.5531] REPORTING OF CRIMES MOTIVATED BY BIAS.

Subdivision 1. REPORTS REQUIRED. A peace officer must report to the head of the officer's department every violation of chapter 609 or a local criminal ordinance if the officer has reason to believe that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The superintendent of the bureau of criminal apprehension shall adopt a reporting form to be used by law enforcement agencies in making the reports required under this section. The reports must include for each incident all of the following:

New language is indicated by underline, deletions by ~~strikeout~~.