

This chapter may be enforced by the attorney general or the county attorney pursuant to section 8.31 or 325F.70 and the public and private remedies available under those sections apply to this chapter.

Sec. 6. **REPEALER.**

Minnesota Statutes 1992, section 13C.01, subdivision 2, is repealed.

Presented to the governor May 17, 1993

Signed by the governor May 19, 1993, 4:40 p.m.

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**CHAPTER 293—H.F.No. 1499**

*An act relating to consumer protection; providing for training requirements for manual or mechanical therapy; requiring diagnosis of a person's condition before therapy; providing for rulemaking; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 146.*

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

**Section 1. [146.23] MANUAL OR MECHANICAL THERAPY.**

Subdivision 1. THERAPY. "Manual therapy" or "mechanical therapy" as used in this section means manipulation or adjusting joint articulation without anesthesia.

Subd. 2. TRAINING REQUIREMENT. A person regulated under this chapter who is not otherwise authorized to provide manual therapy or mechanical therapy, intending to directly treat or normalize abnormal or dysfunctional articulations of the human body must be certified by the state board which regulates the person's practice as successfully completing training in manual or mechanical therapy at a level of not less than: (1) 555 hours of training to include lecture and supervised laboratory training; (2) 315 hours in the area of radiographic interpretation; and (3) 1,155 hours of supervised work in an outpatient setting. The training must be provided by an institution which is fully accredited in the area of chiropractic, medicine, osteopathy, or physical therapy.

Subd. 3. DIAGNOSIS REQUIRED BEFORE THERAPY. Before manual therapy or mechanical therapy is provided, a person licensed by a particular board of examiners to diagnose another person for any disease, injury, defect, deformity, or infirmity of the body must determine that the person to receive therapy does not have a condition that would contraindicate the therapy. If the person making the diagnosis is not also performing the therapy, that person must give a written diagnosis report prior to the initiation of therapy to the person performing the therapy and is responsible for ensuring that the person performing the therapy has complied with the training requirements under subdivision 2.

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

Subd. 4. RULES. Any board that regulates persons affected by this section may adopt rules for the purposes of this section.

Subd. 5. PENALTY. A person who violates this section is subject to disciplinary action by the board that regulates the person's practice.

Subd. 6. SCOPE OF PRACTICE. Nothing in this section expands or limits the scope of practice of registered physical therapists or occupational therapists certified by the American Occupational Therapy Certification Board.

Subd. 7. EXEMPTION. The provisions of subdivision 2 of this section do not apply to physicians and doctors of osteopathy licensed under chapter 147.

Sec. 2. **EFFECTIVE DATE.**

Section 1, subdivision 4, is effective the day following final enactment.

Presented to the governor May 17, 1993

Signed by the governor May 19, 1993, 4:38 p.m.

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## CHAPTER 294—H.F.No. 623

### VETOED

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## CHAPTER 295—H.F.No. 1081

*An act relating to commerce; regulating collection agencies; modifying prohibited practices; requiring notification to the commissioner upon certain employee terminations; repealing inconsistent surety bond and term and fee rules; regulating credit services organizations; modifying registration and bond requirements; modifying enforcement powers; amending Minnesota Statutes 1992, sections 332.37; 332.54, subdivision 1, and by adding subdivisions; 332.55; and 332.59; proposing coding for new law in Minnesota Statutes, chapter 332; repealing Minnesota Rules, parts 2870.1300; and 2870.1600.*

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

Section 1. Minnesota Statutes 1992, section 332.37, is amended to read:

### 332.37 PROHIBITED PRACTICES.

No collection agency or collectors shall:

(1) in collection letters or publications, or in any communication, oral or written threaten wage garnishment or legal suit by a particular lawyer, unless it has actually retained the lawyer;

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