

Subd. 2. **DEBTS, LIABILITIES.** The city shall not be responsible for any claims against or debts, obligations, or liabilities of the nonprofit corporation, which shall not be deemed to operate or constitute a municipal hospital within the meaning of Minnesota Statutes, section 144.581.

Subd. 3. **APPLICABLE LAW.** The nonprofit corporation shall not be subject to Laws 1969, chapter 224, as amended.

Sec. 5. **EMPLOYEES.**

Upon the effective date of the transfer authorized pursuant to section 3, the employees of the hospital shall become employees of the nonprofit corporation. This act does not abrogate or change any rights of employees of the hospital under the terms of any collective bargaining agreements in effect on the date of the transfer to the nonprofit corporation.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Duluth.

Presented to the governor May 5, 1997

Signed by the governor May 6, 1997, 2:42 p.m.

CHAPTER 102—S.F.No. 662

An act relating to health professions; establishing licensure requirements for volunteer practitioners of psychology; modifying requirements for licensure as licensed psychologists and for professional identification; amending Minnesota Statutes 1996, sections 148.907, subdivisions 2, 3, and 4; and 148.96, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Section 1. Minnesota Statutes 1996, section 148.907, subdivision 2, is amended to read:

Subd. 2. **REQUIREMENTS FOR LICENSURE AS A LICENSED PSYCHOLOGIST.** To become licensed by the board as a licensed psychologist, an applicant shall comply with the following requirements:

- (1) pass an examination in psychology;
- (2) pass a professional responsibility examination on the practice of psychology;
- (3) pass any other examinations as required by board rules;
- (4) pay nonrefundable fees to the board for applications, processing, testing, renewals, and materials;

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(5) have attained the age of majority, be of good moral character, and have no unresolved disciplinary action or complaints pending in the state of Minnesota or any other jurisdiction;

(6) have a doctoral degree with a major in psychology from a regionally accredited educational institution meeting the standards the board has established by rule; and

(7) have completed at least ~~two~~ one full years year or the equivalent in part time of postdoctoral supervised psychological employment.

Sec. 2. Minnesota Statutes 1996, section 148.907, subdivision 3, is amended to read:

Subd. 3. MASTER'S LEVEL LICENSURE AS A LICENSED PSYCHOLOGIST AFTER AUGUST 1, 1991. (a) A person licensed in this state as a licensed consulting psychologist or a licensed psychologist before August 1, 1991, qualifies for licensure as a licensed psychologist, as described in subdivision 2, at the time of license renewal.

(b) Providing all other licensure requirements have been satisfactorily met, the board shall grant licensure as a licensed psychologist to a person who:

(1) before November 1, 1991, entered a graduate program at a regionally accredited educational institution granting a master's or doctoral degree with a major in psychology which meets the standards the board has established by rule;

(2) before December 31, 1997, earned a master's degree or a master's equivalent in a doctoral program at a regionally accredited educational institution and complied with requirements of subdivision 2, clauses (1) to (5), except that the nonrefundable fees for licensure are payable at the time an application for licensure is submitted; and

(3) before December 31, 1998, completed at least ~~two~~ one full years year or the equivalent in part time of post-master's supervised psychological employment, ~~which may include a predoctoral internship.~~

(c) Notwithstanding paragraph (b), the board shall not grant licensure as a licensed psychologist under this subdivision unless the applicant demonstrates that the applicant was a resident of Minnesota on October 31, 1992, and meets all the requirements for licensure under this subdivision.

Sec. 3. Minnesota Statutes 1996, section 148.907, subdivision 4, is amended to read:

Subd. 4. CONVERTING FROM MASTER'S TO DOCTORAL LEVEL LICENSURE. To convert from licensure as a licensed psychologist at the master's or master's equivalent level to licensure at the doctoral level, a licensed psychologist shall have:

(1) completed an application provided by the board;

(2) had an official transcript documenting the conferral of the doctoral degree sent directly from the educational institution to the board;

(3) paid a nonrefundable fee;

(4) successfully completed ~~two~~ one full years year or the equivalent in part time of supervised psychological employment, which shall not include a predoctoral internship, after earning a master's degree or a master's equivalent in a doctoral program;

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(5) successfully completed a predoctoral internship meeting the standards the board has established by rule; and

(6) received a doctoral degree with a major in psychology from a regionally accredited educational institution meeting the standards the board has established by rule.

Sec. 4. **[148.909] LICENSURE FOR VOLUNTEER PRACTICE.**

The board, at its discretion, may grant licensure for volunteer practice to an applicant who:

- (1) is a former licensee who is completely retired from the practice of psychology;
- (2) has no unresolved disciplinary action or complaints pending in the state of Minnesota or any other jurisdiction; and
- (3) has held a license, certificate, or registration to practice psychology in any jurisdiction for at least 15 years.

Sec. 5. Minnesota Statutes 1996, section 148.96, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENTS FOR PROFESSIONAL IDENTIFICATION.** All licensees, when representing themselves in activities relating to the practice of psychology, including in written materials or advertising, shall identify the academic degree upon which their licensure is based, as well as their level of licensure. Individuals licensed on the basis of the equivalent of a master's degree in a doctoral program shall similarly use the designation "M. Eq." to identify the educational status on which their licensure is based, as well as their level of licensure.

Sec. 6. Minnesota Statutes 1996, section 148.96, subdivision 3, is amended to read:

Subd. 3. **REQUIREMENTS FOR REPRESENTATIONS TO THE PUBLIC.**

(a) ~~Unless licensed under sections 148.88 to 148.98, except as provided in paragraphs (b) through (d) (e), persons shall not present represent themselves or permit themselves to be presented represented to the public by:~~

(1) using any title or description of services incorporating the words "psychology," "psychological," "psychological practitioner," or "psychologist"; or

(2) representing that the person has expert qualifications in an area of psychology.

(b) Psychologically trained individuals who are employed by an educational institution recognized by a regional accrediting organization, by a federal, state, county, or local government institution, agencies, or research facilities, may represent themselves by the title designated by that organization.

(c) A psychologically trained individual from an institution described in paragraph (b) may offer lecture services and is exempt from the provisions of this section.

(d) A person who is preparing for the practice of psychology under supervision in accordance with board statutes and rules may be designated as a "psychological intern," "psychological trainee," or by other terms clearly describing the person's training status.

(e) Former licensees who are completely retired from the practice of psychology may represent themselves using the descriptions in paragraph (a), clauses (1) and (2), but shall not represent themselves or allow themselves to be represented as current licensees of the board.

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(f) Nothing in this section shall be construed to prohibit the practice of school psychology by a person licensed in accordance with chapter 125.

Sec. 7. EFFECTIVE DATE.

Sections 1 to 3 are effective the day following final enactment.

Presented to the governor May 5, 1997

Signed by the governor May 6, 1997, 2:43 p.m.

CHAPTER 103—S.F.No. 38

An act relating to health; modifying provisions relating to recordkeeping by persons regulated by the board of medical practice; amending Minnesota Statutes 1996, section 147.091, subdivision 2; repealing Minnesota Rules, part 5600.0605, subpart 10.

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

Section 1. Minnesota Statutes 1996, section 147.091, subdivision 2, is amended to read:

Subd. 2. **AUTOMATIC SUSPENSION.** (a) A license to practice medicine is automatically suspended if (1) a guardian of the person of a licensee is appointed by order of a court pursuant to sections 525.54 to 525.61, for reasons other than the minority of the licensee; or (2) the licensee is committed by order of a court pursuant to chapter 253B. The license remains suspended until the licensee is restored to capacity by a court and, upon petition by the licensee, the suspension is terminated by the board after a hearing.

(b) Upon notice to the board of a judgment of, or a plea of guilty to, a felony reasonably related to the practice of patient care, the credentials of the regulated person shall be automatically suspended by the board. The credentials shall remain suspended until, upon petition by the regulated person and after a hearing, the suspension is terminated by the board. The board shall indefinitely suspend or revoke the credentials of the regulated person if, after a hearing, the board finds that the felonious conduct would cause a serious risk of harm to the public.

(c) For credentials that have been suspended or revoked pursuant to this subdivision paragraphs (a) and (b), the regulated person may be reinstated to practice, either with or without restrictions, by demonstrating clear and convincing evidence of rehabilitation, as provided in section 364.03. If the regulated person's conviction is subsequently overturned by court decision, the board shall conduct a hearing to review the suspension within 30 days after receipt of the court decision. The regulated person is not required to prove rehabilitation if the subsequent court decision overturns previous court findings of public risk.

(d) The board may, upon majority vote of a quorum of its members, suspend the credentials of a regulated person without a hearing if the regulated person fails to maintain a current name and address with the board, as described in paragraph (e), while the regu-

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