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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3716

02/24/2020 Authored by Marquart
The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health occupations; exempting a nurse licensed by a border state from
1.3 obtaining a Minnesota license when providing aftercare; amending Minnesota
1.4 Statutes 2018, section 148.211, subdivision 2a.

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

1.6 Section 1. Minnesota Statutes 2018, section 148.211, subdivision 2a, is amended to read:

1.7 Subd. 2a. License recognition for nurses from border states; reciprocity. (a) A license
1.8 to practice professional or practical nursing issued by Iowa, North Dakota, South Dakota,
1.9 or Wisconsin (border state) to a resident in that state must be recognized by the board as
1.10 authorizing a licensure privilege to practice professional or practical nursing in Minnesota,
1.11 if:

1.12 (1) the licensure standards in the state licensed are substantially the same as Minnesota
1.13 licensure standards;

1.14 (2) the border state has not taken adverse action against the nurse license;

1.15 (3) the nurse is not participating in an alternative or diversion program; or

1.16 (4) the nurse has not been refused a license to practice nursing in Minnesota.

1.17 (b) Within ten days of employment by a hospital, clinic, prepaid medical plan, or other
1.18 health care institution or organization located in this state, a nurse who practices professional
1.19 or practical nursing in Minnesota under the authority of a licensure privilege as provided
1.20 in this subdivision shall report the employment to the board on a form provided by the
1.21 board. The board shall maintain a list of the nurses practicing in Minnesota under this
1.22 subdivision.

2.1 (c) A nurse who practices professional or practical nursing in Minnesota under the
2.2 authority of a licensure privilege as provided in this subdivision has the same obligations
2.3 as if the nurse was licensed in Minnesota and is subject to the laws and rules of Minnesota
2.4 and the regulatory authority of the board, including taking all forms of disciplinary action
2.5 provided for in section 148.262, subdivision 1, and corrective action provided for in section
2.6 214.103, subdivision 6, against an individual's licensure privilege based on the grounds
2.7 listed in section 148.261, subdivision 1, any other statute authorizing or requiring the board
2.8 to take corrective or disciplinary action, and issuing a cease and desist order to limit or
2.9 revoke a nurse's authority to practice in Minnesota. The board is authorized to recover from
2.10 a nurse practicing professional or practical nursing in Minnesota under this subdivision the
2.11 cost of proceedings as provided in section 148.262, subdivision 4. The board shall promptly
2.12 report any such actions to the border state licensing board.

2.13 (d) The board shall seek reciprocity of nurse licensure with Iowa, North Dakota, South
2.14 Dakota, and Wisconsin. Lack of reciprocity does not limit the board's recognition of nurse
2.15 licenses from border states.

2.16 (e) Notwithstanding paragraph (a), a nurse practicing professional or practical nursing
2.17 under a license issued by Iowa, North Dakota, South Dakota, or Wisconsin in one of these
2.18 states is not required to obtain a license by the board to practice professional or practical
2.19 nursing in Minnesota if the nurse is providing aftercare to a patient who received a service,
2.20 treatment, or procedure in a health care facility or clinic located in the border state in which
2.21 the nurse is licensed and the aftercare is provided to the patient while the patient is located
2.22 in Minnesota. For purposes of this paragraph, "aftercare" is limited to contacting the patient
2.23 by telephone or other electronic means to inquire as to the condition of the patient following
2.24 the service, treatment, or procedure.