

CHAPTER 4695

DEPARTMENT OF HEALTH

HUMAN RESOURCES

4695 0300 TYPES OF INFORMATION
4695 0800 FACTORS FOR DETERMINING THE
NECESSITY OF REGULATION

4695 2900 APPLICATION FEES

4695.0300 TYPES OF INFORMATION.

Subpart 1. Information from licensed or registered individuals. Individuals who are licensed or registered by the commissioner or the boards shall submit to the commissioner, on forms provided by him/her, the following types of information:

- A. permanent license or registration number;
- B. locality of principal residence,
- C. educational background which shall include:
[For text of subp 1, item C, subitems (1) to (4), see M.R. 1985]
- D. professional activity status in the occupation which shall include:
[For text of subp 1, item D, subitems (1) to (4), see M.R. 1985]
- E. locality where currently working in the occupation;
- F. type of setting where currently working in the occupation;
- G. category of current form of employment in the occupation;
- H. occupational specialty;
- I. current active licensure or registration held in other states.
[For text of subps 2 to 4, see M.R. 1985]

Statutory Authority: *MS s 214.13 subd 1*

History: *10 SR 1908*

4695.0800 FACTORS FOR DETERMINING THE NECESSITY OF REGULATION.

[For text of subps 1 to 4, see M.R. 1985]

Subp. 5. Overall cost effectiveness and economic impact. In determining whether the overall cost effectiveness and economic impact would be positive for citizens of the state, the following shall be considered:

A. Positive cost effectiveness and economic impact results where the benefits expected to accrue to the public from a decision to regulate an occupation are greater than the costs resulting from that decision.

(1) Cost effectiveness means the relationship of the benefits anticipated from a decision to regulate an occupation to the overall costs to the public resulting from that decision.

(2) Economic impact means the direct and indirect effects on the price and supply of services provided by the occupation under consideration for regulation. Direct effects include impacts on the cost and supply of practitioners who would be regulated. Indirect effects include: the degree to which the existing practitioners will be precluded from practice because of regulation; the degree to which persons aspiring to practice the occupation, who if not for regulation could practice the occupation successfully, but will be prohibited because of inability to meet entry requirements; impact on ability of minorities or protected classes

to enter the occupation; or impact on innovations in the delivery of care or services as a result of regulation.

(3) Costs of a decision to regulate include the estimated costs to state and local governments of administering the proposed regulatory program; educational requirements and training costs including costs associated with experiential requirements of the proposed mode of regulation; and costs to the public such as reduced or increased access by potential or existing providers to labor markets.

(4) Benefits of a decision to regulate an occupation include access to less expensive but similar providers; measurable improvements in quality of care; reductions in costs of services; process for seeking redress for injury from malpractice, or other unprofessional conduct, and reduction in the potential for public harm from unregulated practice.

B. Cost effectiveness and economic impact can be evaluated through consideration of the following factors:

(1) degree to which regulation directly or indirectly impacts the costs and prices of goods or services provided by applicant group;

(2) impact upon the current and future supply of practitioners of the regulated occupation;

(3) degree to which the existing practitioners will be precluded from practice because of regulation;

(4) impact, if any, on innovations in the delivery of care or services as a result of regulation;

(5) costs of additional education and training required as a result of the regulation of the occupation;

(6) manner in which and degree to which regulation will result in improvement in the quality of care;

(7) degree to which services of the applicant group substitute for currently regulated occupations and estimated comparative costs of applicant group and currently regulated practitioners;

(8) degree to which services of the applicant group supplement currently regulated occupations;

(9) whether regulation confers or facilitates access to reimbursement for government assistance programs such as medicare and medicaid; estimated impact on program budgets; and

(10) impact on expenditures by government and private third party payors, if any, resulting from regulation of the occupation.

Subp. 6. **Nonlimiting guidelines.** Subparts 2 to 5 shall be considered non-limiting guidelines to be used in applying the statutory factors contained in Minnesota Statutes, section 214.001, subdivision 2. Additional elements may be considered if necessary to permit a thorough review and evaluation of an applicant group questionnaire in light of the statutory factors; provided, however, that the additional elements shall be identified during the course of the review and evaluation process, all interested persons given the opportunity to comment thereon, and shall be specifically addressed in the commissioner's written decision required by part 4695.1500.

Statutory Authority: *MS s 214.13 subd 1*

History: *10 SR 1908*

4695.2900 APPLICATION FEES.

Fees to be submitted with initial or renewal applications shall be as follows:

A. Initial application fee, \$45 plus examination fees.

B. Biennial renewal application fee, \$45.

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C. Penalty for late submission of renewal application, \$10, if not renewed by designated renewal date

Statutory Authority: *MS s 214 13 subd 3*

History: *10 SR 1687*