## 8275.0035 QUALIFICATION OF OPERATIVE PERSONNEL.

The certification authority shall determine whether an individual employed or acting as operative personnel qualifies to act as operative personnel according to Minnesota Statutes, sections 325K.01, subdivision 21, and 325K.05, subdivision 1, clauses (2) and (3). The determination must be made after a criminal background check of the individual and based on the individual's knowledge of this chapter and Minnesota Statutes, chapter 325K. The certification authority shall continue to monitor the qualifications of operative personnel on an ongoing basis. If at any time operative personnel are determined to not be qualified as defined in this part, the individual's employment as operative personnel with the certification authority must be immediately terminated. The steps that a certification authority takes to assess an individual's qualification to be employed as operative personnel must be disclosed in the certification practice statement.

**Statutory Authority:** MS s 325K.01; 325K.03; 325K.04; 325K.05; 325K.06; 325K.07

**History:** 23 SR 1352

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