

CHAPTER 214

EXAMINING AND LICENSING BOARDS

214.002 Evidence in support of regulation.
 214.01 Definitions.
 214.045 Coordination with board of teaching.

214.101 Child support; suspension of license.
 214.12 Continuing education.

214.002 EVIDENCE IN SUPPORT OF REGULATION.

Subdivision 1. **Written report.** Within 15 days of the introduction of a bill proposing new or expanded regulation of an occupation, the proponents of the new or expanded regulation shall submit a written report to the chair of the standing committee in each house of the legislature to which the bill was referred setting out the information required by this section. If a committee chair requests that the report be submitted earlier, but no fewer than five days from introduction of the bill, the proponents shall comply with the request.

Subd. 2. **Contents of the report.** A report in support of the regulation of a health-related or non-health-related occupation must address the following issues as specifically as possible:

- (1) the harm to the public that is or could be posed by the unregulated practice of the occupation or by continued practice at its current degree of regulation;
- (2) any reason why existing civil or criminal laws or procedures are inadequate to prevent or remedy any harm to the public;
- (3) why the proposed level of regulation is being proposed and why, if there is a lesser degree of regulation, it was not selected;
- (4) any associations, organizations, or other groups representing the occupation seeking regulation and the approximate number of members in each in Minnesota;
- (5) the functions typically performed by members of this occupational group and whether they are identical or similar to those performed by another occupational group or groups;
- (6) whether any specialized training, education, or experience is required to engage in the occupation and, if so, how current practitioners have acquired that training, education, or experience;
- (7) whether the proposed regulation would change the way practitioners of the occupation acquire any necessary specialized training, education, or experience and, if so, why;
- (8) whether any current practitioners of the occupation in Minnesota lack whatever specialized training, education, or experience might be required to engage in the occupation and, if so, how the proposed regulation would address that lack;
- (9) whether new entrants into the occupation would be required to provide evidence of any necessary training, education, or experience, or to pass an examination, or both;
- (10) whether current practitioners would be required to provide evidence of any necessary training, education, or experience, or to pass an examination, and, if not, why not; and
- (11) the expected impact of the proposed regulation on the supply of practitioners of the occupation and on the cost of services or goods provided by the occupation.

Subd. 3. **Additional contents; health-related occupations.** In addition to the contents listed in subdivision 2, a report submitted by supporters of regulation of a health-related occupation must address the following issues as specifically as possible:

- (1) typical work settings and conditions for practitioners of the occupation; and
- (2) whether practitioners of the occupation work without supervision or are supervised and monitored by a regulated institution or by regulated health professionals.

History: 1999 c 144 s 1

214.01 DEFINITIONS.

[For text of subd 1, see M.S.1998]

Subd. 2. **Health-related licensing board.** "Health-related licensing board" means the board of examiners of nursing home administrators established pursuant to section 144A.19, the board of medical practice created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, the board of optometry established pursuant to section 148.52, the board of physical therapy established pursuant to section 148.67, the board of psychology established pursuant to section 148.90, the board of social work pursuant to section 148B.19, the board of marriage and family therapy pursuant to section 148B.30, the office of mental health practice established pursuant to section 148B.61, the alcohol and drug counselors licensing advisory council established pursuant to section 148C.02, the board of dietetics and nutrition practice established under section 148.622, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatric medicine established pursuant to section 153.02, and the board of veterinary medicine, established pursuant to section 156.01.

[For text of subd. 3, see M.S.1998]

History: 1999 c 245 art 9 s 63

214.045 COORDINATION WITH BOARD OF TEACHING.

The commissioner of health and the health-related licensing boards must coordinate with the board of teaching when modifying licensure requirements for regulated persons in order to have consistent regulatory requirements for personnel who perform services in schools.

History: 1999 c 245 art 4 s 7

214.101 CHILD SUPPORT; SUSPENSION OF LICENSE.

Subdivision 1. **Court order; hearing on suspension.** (a) For purposes of this section, "licensing board" means a licensing board or other state agency that issues an occupational license.

(b) If a licensing board receives an order from a court or a child support magistrate or a notice from a public authority responsible for child support enforcement under section 518.551, subdivision 12, dealing with suspension of a license of a person found by the court or the public authority to be in arrears in child support or maintenance payments, or both, the board shall, within 30 days of receipt of the order or public authority notice, suspend the license as directed by the order or notice.

Subd. 4. **Verification of payments.** A board may not issue, reinstate, or renew a license of a person who has been suspended or is the subject of an order or notice under this section until it receives notification from the court, child support magistrate, or public authority that referred the matter to the board confirming that the applicant is not in arrears in either child support or maintenance payments, or confirming that the person is in compliance with a written payment plan regarding both current support and arrearages.

[For text of subd. 5, see M.S.1998]

History: 1999 c 196 art 2 s 5,6

214.12 CONTINUING EDUCATION.

[For text of subd. 1, see M.S.1998]

Subd. 2. [Repealed, 1999 c 5 s 1]

[For text of subd. 3, see M.S.1998]