

148.6371 REPORTING OBLIGATIONS.

Subdivision 1. **Permission to report.** A person who has knowledge of any conduct constituting grounds for disciplinary action relating to massage therapy or Asian bodywork therapy under sections 148.636 to 148.6377 may report the violation to the commissioner.

Subd. 2. **Institutions.** A state agency, political subdivision, agency of a local unit of government, private agency, hospital, clinic, prepaid medical plan, or other health care institution or organization located in this state shall report to the commissioner any action taken by the agency, institution, or organization or any of its administrators or medical or other committees to revoke, suspend, restrict, or condition a registrant's privilege to practice or treat clients in the institution or, as part of the organization, any denial of privileges or any other disciplinary action for conduct that might constitute grounds for disciplinary action under sections 148.636 to 148.6377. The institution, organization, or governmental entity shall also report the resignation of a registrant prior to the conclusion of any disciplinary action proceeding for conduct that might constitute grounds for disciplinary action under sections 148.636 to 148.6377 or prior to the commencement of formal charges but after the registrant had knowledge that formal charges were contemplated or were being prepared.

Subd. 3. **Professional societies.** A state or local professional society for massage therapists or Asian bodywork therapists shall report to the commissioner any termination, revocation, or suspension of membership or any other disciplinary action taken against a registrant. If the society has received a complaint that might be grounds for disciplinary action under sections 148.636 to 148.6377 against a member for whom the society has not taken any disciplinary action, the society shall report the complaint and the reason the society has not taken action on the complaint to the commissioner, or shall direct the complainant to the commissioner.

Subd. 4. **Licensed health professionals.** (a) For purposes of this subdivision, "client" means an individual receiving health services from a licensed health professional.

(b) A licensed health professional shall report to the commissioner personal knowledge of any conduct by a registrant that the licensed health professional reasonably believes constitutes grounds for disciplinary action under sections 148.636 to 148.6377, including conduct indicating that the individual may be incompetent or may be mentally or physically unable to engage safely in the provision of services. If the information was obtained in the course of a client relationship, the client is a registrant, and the treating individual successfully counsels the client to limit or withdraw from practice to the extent required by the impairment, the commissioner may deem this limitation of or withdrawal from practice to be sufficient disciplinary action.

Subd. 5. **Insurers.** (a) Four times each year as prescribed by the commissioner, each insurer authorized to sell insurance described in section 60A.06, subdivision 1, clause (13), that provided professional liability insurance to massage therapists or Asian bodywork therapists, or the Joint Underwriting Association under chapter 62I shall submit to the commissioner a report concerning the registrants against whom malpractice settlements or awards have been made. The report must contain at least the following information:

- (1) the total number of malpractice settlements or awards made;
- (2) the dates the malpractice settlements or awards were made;
- (3) the allegations contained in the claims or complaints leading to the settlements or awards made;
- (4) the dollar amount of each malpractice settlement or award;

(5) the regular address of the practice of each registrant against whom an award was made or with whom a settlement was made; and

(6) the name of each registrant against whom an award was made or with whom a settlement was made.

(b) In addition to the information specified in paragraph (a), the insurer shall submit to the commissioner any information, records, and files, including client charts and records, the insurer possesses that tend to substantiate a charge that a registrant may have engaged in conduct that violates sections 148.636 to 148.6377.

Subd. 6. **Courts.** The court administrator of district court or any other court of competent jurisdiction shall report to the commissioner any judgment or other determination of the court that adjudges or includes a finding that a registrant is mentally ill, mentally incompetent, guilty of a felony, guilty of a violation of federal or state narcotics laws or controlled substances act, or guilty of abuse or fraud under Medicare or Medicaid; that appoints a guardian of a registrant under sections 524.5-101 to 524.5-502; or that commits a registrant under chapter 253B.

Subd. 7. **Self-reporting.** A registrant shall report to the commissioner:

(1) any personal action that would require a report to be filed under subdivisions 2 to 5 by any person, health care facility, business, or organization;

(2) the revocation, suspension, restriction, limitation, or other disciplinary action against the registrant's license, certificate, registration, or right of practice in another state or jurisdiction for offenses that would subject the registrant to disciplinary action in this state; and

(3) the filing of charges regarding their license, certificate, registration, or right of practice in another state or jurisdiction.

Subd. 8. **Deadlines; forms.** Reports required in subdivisions 2 to 4, 6, and 7 must be submitted no later than 30 days after the reporter learns of the occurrence of the reportable event or transaction. The commissioner may provide forms for the submission of reports required in this section, may require reports to be submitted on the forms provided, and may adopt rules necessary to ensure prompt and accurate reporting.

History: 2026 c 115 art 3 s 15