

1.1 moves to amend H.F. No. 4247 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1
1.4 TRANSFER CARE SPECIALISTS

1.5 Section 1. Minnesota Statutes 2022, section 149A.01, subdivision 3, is amended to read:

1.6 Subd. 3. **Exceptions to licensure.** (a) Except as otherwise provided in this chapter,
1.7 nothing in this chapter shall in any way interfere with the duties of:

1.8 (1) an anatomical bequest program located within an accredited school of medicine or
1.9 an accredited college of mortuary science;

1.10 (2) a person engaged in the performance of duties prescribed by law relating to the
1.11 conditions under which unclaimed dead human bodies are held subject to anatomical study;

1.12 (3) authorized personnel from a licensed ambulance service in the performance of their
1.13 duties;

1.14 (4) licensed medical personnel in the performance of their duties; or

1.15 (5) the coroner or medical examiner in the performance of the duties of their offices.

1.16 (b) This chapter does not apply to or interfere with the recognized customs or rites of
1.17 any culture or recognized religion in the ceremonial washing, dressing, casketing, and public
1.18 transportation of their dead, to the extent that all other provisions of this chapter are complied
1.19 with.

1.20 (c) Noncompensated persons with the right to control the dead human body, under section
1.21 149A.80, subdivision 2, may remove a body from the place of death; transport the body;
1.22 prepare the body for disposition, except embalming; or arrange for final disposition of the
1.23 body, provided that all actions are in compliance with this chapter.

2.1 (d) Persons serving internships pursuant to section 149A.20, subdivision 6, ~~or~~; students
2.2 officially registered for a practicum or clinical through a program of mortuary science
2.3 accredited by the American Board of Funeral Service Education; or transfer care specialists
2.4 registered pursuant to section 149A.47 are not required to be licensed, provided that the
2.5 persons ~~or~~, students, or transfer care specialists are registered with the commissioner and
2.6 act under the direct and exclusive supervision of a person holding a current license to practice
2.7 mortuary science in Minnesota.

2.8 (e) Notwithstanding this subdivision, nothing in this section shall be construed to prohibit
2.9 an institution or entity from establishing, implementing, or enforcing a policy that permits
2.10 only persons licensed by the commissioner to remove or cause to be removed a dead body
2.11 or body part from the institution or entity.

2.12 (f) An unlicensed person may arrange for and direct or supervise a memorial service if
2.13 that person or that person's employer does not have charge of the dead human body. An
2.14 unlicensed person may not take charge of the dead human body, unless that person has the
2.15 right to control the dead human body under section 149A.80, subdivision 2, or is that person's
2.16 noncompensated designee.

2.17 Sec. 2. Minnesota Statutes 2022, section 149A.02, subdivision 13a, is amended to read:

2.18 Subd. 13a. **Direct supervision.** "Direct supervision" means overseeing the performance
2.19 of an individual. For the purpose of a clinical, practicum, or internship, direct supervision
2.20 means that the supervisor is available to observe and correct, as needed, the performance
2.21 of the trainee. For the purpose of a transfer care specialist, direct supervision means that
2.22 the supervisor is available by being physically present or by telephone to advise and correct,
2.23 as needed, the performance of the transfer care specialist. The supervising mortician
2.24 ~~supervisor~~ is accountable for the actions of the clinical student, practicum student, or intern
2.25 throughout the course of the training. The supervising mortician is accountable for any
2.26 violations of law or rule, in the performance of their duties, by the clinical student, practicum
2.27 student, ~~or intern,~~ or transfer care specialist.

2.28 Sec. 3. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
2.29 read:

2.30 Subd. 37d. **Transfer care specialist.** "Transfer care specialist" means an individual who
2.31 is registered with the commissioner in accordance with section 149A.47 and is authorized
2.32 to perform the removal of a dead human body from the place of death under the direct
2.33 supervision of a licensed mortician.

3.1 Sec. 4. Minnesota Statutes 2022, section 149A.03, is amended to read:

3.2 **149A.03 DUTIES OF COMMISSIONER.**

3.3 The commissioner shall:

3.4 (1) enforce all laws and adopt and enforce rules relating to the:

3.5 (i) removal, preparation, transportation, arrangements for disposition, and final disposition
3.6 of dead human bodies;

3.7 (ii) licensure, registration, and professional conduct of funeral directors, morticians,
3.8 interns, practicum students, ~~and~~ clinical students, and transfer care specialists;

3.9 (iii) licensing and operation of a funeral establishment;

3.10 (iv) licensing and operation of an alkaline hydrolysis facility; and

3.11 (v) licensing and operation of a crematory;

3.12 (2) provide copies of the requirements for licensure, registration, and permits to all
3.13 applicants;

3.14 (3) administer examinations and issue licenses, registrations, and permits to qualified
3.15 persons and other legal entities;

3.16 (4) maintain a record of the name and location of all current licensees ~~and~~, interns, and
3.17 transfer care specialists;

3.18 (5) perform periodic compliance reviews and premise inspections of licensees;

3.19 (6) accept and investigate complaints relating to conduct governed by this chapter;

3.20 (7) maintain a record of all current preneed arrangement trust accounts;

3.21 (8) maintain a schedule of application, examination, permit, registration, and licensure
3.22 fees, initial and renewal, sufficient to cover all necessary operating expenses;

3.23 (9) educate the public about the existence and content of the laws and rules for mortuary
3.24 science licensing and the removal, preparation, transportation, arrangements for disposition,
3.25 and final disposition of dead human bodies to enable consumers to file complaints against
3.26 licensees and others who may have violated those laws or rules;

3.27 (10) evaluate the laws, rules, and procedures regulating the practice of mortuary science
3.28 in order to refine the standards for licensing and to improve the regulatory and enforcement
3.29 methods used; and

4.1 (11) initiate proceedings to address and remedy deficiencies and inconsistencies in the
4.2 laws, rules, or procedures governing the practice of mortuary science and the removal,
4.3 preparation, transportation, arrangements for disposition, and final disposition of dead
4.4 human bodies.

4.5 Sec. 5. Minnesota Statutes 2022, section 149A.09, is amended to read:

4.6 **149A.09 DENIAL; REFUSAL TO REISSUE; REVOCATION; SUSPENSION;**
4.7 **LIMITATION OF LICENSE, REGISTRATION, OR PERMIT.**

4.8 Subdivision 1. **Denial; refusal to renew; revocation; and suspension.** The regulatory
4.9 agency may deny, refuse to renew, revoke, or suspend any license, registration, or permit
4.10 applied for or issued pursuant to this chapter when the person subject to regulation under
4.11 this chapter:

4.12 (1) does not meet or fails to maintain the minimum qualification for holding a license,
4.13 registration, or permit under this chapter;

4.14 (2) submits false or misleading material information to the regulatory agency in
4.15 connection with a license, registration, or permit issued by the regulatory agency or the
4.16 application for a license, registration, or permit;

4.17 (3) violates any law, rule, order, stipulation agreement, settlement, compliance agreement,
4.18 license, registration, or permit that regulates the removal, preparation, transportation,
4.19 arrangements for disposition, or final disposition of dead human bodies in Minnesota or
4.20 any other state in the United States;

4.21 (4) is convicted of a crime, including a finding or verdict of guilt, an admission of guilt,
4.22 or a no contest plea in any court in Minnesota or any other jurisdiction in the United States.
4.23 "Conviction," as used in this subdivision, includes a conviction for an offense which, if
4.24 committed in this state, would be deemed a felony or gross misdemeanor without regard to
4.25 its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is
4.26 made or returned, but the adjudication of guilt is either withheld or not entered;

4.27 (5) is convicted of a crime, including a finding or verdict of guilt, an admission of guilt,
4.28 or a no contest plea in any court in Minnesota or any other jurisdiction in the United States
4.29 that the regulatory agency determines is reasonably related to the removal, preparation,
4.30 transportation, arrangements for disposition or final disposition of dead human bodies, or
4.31 the practice of mortuary science;

4.32 (6) is adjudicated as mentally incompetent, mentally ill, developmentally disabled, or
4.33 mentally ill and dangerous to the public;

5.1 (7) has a conservator or guardian appointed;

5.2 (8) fails to comply with an order issued by the regulatory agency or fails to pay an
5.3 administrative penalty imposed by the regulatory agency;

5.4 (9) owes uncontested delinquent taxes in the amount of \$500 or more to the Minnesota
5.5 Department of Revenue, or any other governmental agency authorized to collect taxes
5.6 anywhere in the United States;

5.7 (10) is in arrears on any court ordered family or child support obligations; or

5.8 (11) engages in any conduct that, in the determination of the regulatory agency, is
5.9 unprofessional as prescribed in section 149A.70, subdivision 7, or renders the person unfit
5.10 to practice mortuary science or to operate a funeral establishment or crematory.

5.11 Subd. 2. **Hearings related to refusal to renew, suspension, or revocation of license,**
5.12 **registration, or permit.** If the regulatory agency proposes to deny renewal, suspend, or
5.13 revoke a license, registration, or permit issued under this chapter, the regulatory agency
5.14 must first notify, in writing, the person against whom the action is proposed to be taken and
5.15 provide an opportunity to request a hearing under the contested case provisions of sections
5.16 14.57 to 14.62. If the subject of the proposed action does not request a hearing by notifying
5.17 the regulatory agency, by mail, within 20 calendar days after the receipt of the notice of
5.18 proposed action, the regulatory agency may proceed with the action without a hearing and
5.19 the action will be the final order of the regulatory agency.

5.20 Subd. 3. **Review of final order.** A judicial review of the final order issued by the
5.21 regulatory agency may be requested in the manner prescribed in sections 14.63 to 14.69.
5.22 Failure to request a hearing pursuant to subdivision 2 shall constitute a waiver of the right
5.23 to further agency or judicial review of the final order.

5.24 Subd. 4. **Limitations or qualifications placed on license, registration, or permit.** The
5.25 regulatory agency may, where the facts support such action, place reasonable limitations
5.26 or qualifications on the right to practice mortuary science or, to operate a funeral
5.27 establishment or crematory, or to perform activities or actions permitted under this chapter.

5.28 Subd. 5. **Restoring license, registration, or permit.** The regulatory agency may, where
5.29 there is sufficient reason, restore a license, registration, or permit that has been revoked,
5.30 reduce a period of suspension, or remove limitations or qualifications.

6.1 Sec. 6. Minnesota Statutes 2022, section 149A.11, is amended to read:

6.2 **149A.11 PUBLICATION OF DISCIPLINARY ACTIONS.**

6.3 The regulatory agencies shall report all disciplinary measures or actions taken to the
6.4 commissioner. At least annually, the commissioner shall publish and make available to the
6.5 public a description of all disciplinary measures or actions taken by the regulatory agencies.
6.6 The publication shall include, for each disciplinary measure or action taken, the name and
6.7 business address of the licensee ~~or intern,~~ or transfer care specialist; the nature of the
6.8 misconduct;; and the measure or action taken by the regulatory agency.

6.9 Sec. 7. **[149A.47] TRANSFER CARE SPECIALIST.**

6.10 Subdivision 1. **General.** A transfer care specialist may remove a dead human body from
6.11 the place of death under the direct supervision of a licensed mortician if the transfer care
6.12 specialist is registered with the commissioner in accordance with this section. A transfer
6.13 care specialist is not licensed to engage in the practice of mortuary science and shall not
6.14 engage in the practice of mortuary science except as provided in this section. A transfer
6.15 care specialist must be an employee of a licensed funeral establishment.

6.16 Subd. 2. **Registration.** (a) To be eligible for registration as a transfer care specialist, an
6.17 applicant must submit to the commissioner:

6.18 (1) a completed application on a form provided by the commissioner that includes at a
6.19 minimum:

6.20 (i) the applicant's name, home address and telephone number, business name, business
6.21 address and telephone number, and email address; and

6.22 (ii) the name, license number, business name, and business address and telephone number
6.23 of the supervising licensed mortician;

6.24 (2) proof of completion of a training program that meets the requirements specified in
6.25 subdivision 4; and

6.26 (3) the appropriate fee specified in section 149A.65.

6.27 (b) All transfer care specialist registrations are valid for one calendar year, beginning
6.28 on January 1 and ending on December 31 regardless of the date of issuance. Fees shall not
6.29 be prorated.

6.30 Subd. 3. **Duties.** (a) A transfer care specialist registered under this section is authorized
6.31 to perform the removal of a dead human body from the place of death in accordance with
6.32 this chapter to a licensed funeral establishment. A transfer care specialist must comply with

7.1 the universal precaution requirements in section 149A.91, subdivision 1, when handling a
7.2 dead human body.

7.3 (b) A transfer care specialist must work under the direct supervision of a licensed
7.4 mortician. The supervising mortician is responsible for the work performed by the transfer
7.5 care specialist. A licensed mortician may supervise up to four transfer care specialists at
7.6 any one time.

7.7 Subd. 4. **Training program and continuing education.** (a) Each transfer care specialist
7.8 must complete a training program prior to initial registration. A training program must be
7.9 at least seven hours long and must cover, at a minimum, the following:

7.10 (1) ethical care and transportation procedures for a deceased person;

7.11 (2) health and safety concerns to the public and the individual performing the transfer
7.12 of the deceased person, and the use of universal precautions and other reasonable precautions
7.13 to minimize the risk for transmitting communicable diseases; and

7.14 (3) all relevant state and federal laws and regulations related to the transfer and
7.15 transportation of deceased persons.

7.16 (b) A transfer care specialist must complete three hours of continuing education annually
7.17 on content described in paragraph (a), clauses (1) to (3), and submit evidence of completion
7.18 with the individual's registration renewal.

7.19 Subd. 5. **Renewal.** (a) A registration issued under this section expires on December 31
7.20 of the calendar year in which the registration was issued and must be renewed to remain
7.21 valid.

7.22 (b) To renew a registration, a transfer care specialist must submit to the commissioner
7.23 a completed renewal application as provided by the commissioner and the appropriate fee
7.24 specified in section 149A.65. The renewal application must include proof of completion of
7.25 the continuing education requirements set forth in subdivision 4.

7.26 Sec. 8. Minnesota Statutes 2022, section 149A.60, is amended to read:

7.27 **149A.60 PROHIBITED CONDUCT.**

7.28 The regulatory agency may impose disciplinary measures or take disciplinary action
7.29 against a person whose conduct is subject to regulation under this chapter for failure to
7.30 comply with any provision of this chapter or laws, rules, orders, stipulation agreements,
7.31 settlements, compliance agreements, licenses, registrations, and permits adopted; or issued
7.32 for the regulation of the removal, preparation, transportation, arrangements for disposition

8.1 or final disposition of dead human bodies, or for the regulation of the practice of mortuary
8.2 science.

8.3 Sec. 9. Minnesota Statutes 2022, section 149A.61, subdivision 4, is amended to read:

8.4 Subd. 4. **Licensees ~~and~~, interns, and transfer care specialists.** A licensee ~~or~~, intern,
8.5 or transfer care specialist regulated under this chapter may report to the commissioner any
8.6 conduct that the licensee ~~or~~, intern, or transfer care specialist has personal knowledge of,
8.7 and reasonably believes constitutes grounds for, disciplinary action under this chapter.

8.8 Sec. 10. Minnesota Statutes 2022, section 149A.61, subdivision 5, is amended to read:

8.9 Subd. 5. **Courts.** The court administrator of district court or any court of competent
8.10 jurisdiction shall report to the commissioner any judgment or other determination of the
8.11 court that adjudges or includes a finding that a licensee ~~or~~, intern, or transfer care specialist
8.12 is a person who is mentally ill, mentally incompetent, guilty of a felony or gross
8.13 misdemeanor, guilty of violations of federal or state narcotics laws or controlled substances
8.14 acts; appoints a guardian or conservator for the licensee ~~or~~, intern, or transfer care specialist;
8.15 or commits a licensee ~~or~~, intern, or transfer care specialist.

8.16 Sec. 11. Minnesota Statutes 2022, section 149A.62, is amended to read:

8.17 **149A.62 IMMUNITY; REPORTING.**

8.18 Any person, private agency, organization, society, association, licensee, ~~or~~ intern, or
8.19 transfer care specialist who, in good faith, submits information to a regulatory agency under
8.20 section 149A.61 or otherwise reports violations or alleged violations of this chapter, is
8.21 immune from civil liability or criminal prosecution. This section does not prohibit disciplinary
8.22 action taken by the commissioner against any licensee ~~or~~, intern, or transfer care specialist
8.23 pursuant to a self report of a violation.

8.24 Sec. 12. Minnesota Statutes 2022, section 149A.63, is amended to read:

8.25 **149A.63 PROFESSIONAL COOPERATION.**

8.26 A licensee, clinical student, practicum student, intern, transfer care specialist, or applicant
8.27 for licensure under this chapter that is the subject of or part of an inspection or investigation
8.28 by the commissioner or the commissioner's designee shall cooperate fully with the inspection
8.29 or investigation. Failure to cooperate constitutes grounds for disciplinary action under this
8.30 chapter.

9.1 Sec. 13. Minnesota Statutes 2022, section 149A.65, subdivision 2, is amended to read:

9.2 Subd. 2. **Mortuary science fees.** Fees for mortuary science are:

9.3 (1) \$75 for the initial and renewal registration of a mortuary science intern;

9.4 (2) \$125 for the mortuary science examination;

9.5 (3) \$200 for issuance of initial and renewal mortuary science licenses;

9.6 (4) \$100 late fee charge for a license renewal; ~~and~~

9.7 (5) \$250 for issuing a mortuary science license by endorsement;

9.8 (6) \$894 for the initial registration of a transfer care specialist; and

9.9 (7) \$554 for renewal registration of a transfer care specialist.

9.10 Sec. 14. Minnesota Statutes 2022, section 149A.70, subdivision 3, is amended to read:

9.11 Subd. 3. **Advertising.** No licensee, clinical student, practicum student, ~~or~~ intern, or
9.12 transfer care specialist shall publish or disseminate false, misleading, or deceptive advertising.

9.13 False, misleading, or deceptive advertising includes, but is not limited to:

9.14 (1) identifying, by using the names or pictures of, persons who are not licensed to practice
9.15 mortuary science in a way that leads the public to believe that those persons will provide
9.16 mortuary science services;

9.17 (2) using any name other than the names under which the funeral establishment, alkaline
9.18 hydrolysis facility, or crematory is known to or licensed by the commissioner;

9.19 (3) using a surname not directly, actively, or presently associated with a licensed funeral
9.20 establishment, alkaline hydrolysis facility, or crematory, unless the surname had been
9.21 previously and continuously used by the licensed funeral establishment, alkaline hydrolysis
9.22 facility, or crematory; and

9.23 (4) using a founding or establishing date or total years of service not directly or
9.24 continuously related to a name under which the funeral establishment, alkaline hydrolysis
9.25 facility, or crematory is currently or was previously licensed.

9.26 Any advertising or other printed material that contains the names or pictures of persons
9.27 affiliated with a funeral establishment, alkaline hydrolysis facility, or crematory shall state
9.28 the position held by the persons and shall identify each person who is licensed or unlicensed
9.29 under this chapter.

10.1 Sec. 15. Minnesota Statutes 2022, section 149A.70, subdivision 4, is amended to read:

10.2 Subd. 4. **Solicitation of business.** No licensee shall directly or indirectly pay or cause
10.3 to be paid any sum of money or other valuable consideration for the securing of business
10.4 or for obtaining the authority to dispose of any dead human body.

10.5 For purposes of this subdivision, licensee includes a registered intern, transfer care
10.6 specialist, or any agent, representative, employee, or person acting on behalf of the licensee.

10.7 Sec. 16. Minnesota Statutes 2022, section 149A.70, subdivision 5, is amended to read:

10.8 Subd. 5. **Reimbursement prohibited.** No licensee, clinical student, practicum student,
10.9 ~~or~~ intern, or transfer care specialist shall offer, solicit, or accept a commission, fee, bonus,
10.10 rebate, or other reimbursement in consideration for recommending or causing a dead human
10.11 body to be disposed of by a specific body donation program, funeral establishment, alkaline
10.12 hydrolysis facility, crematory, mausoleum, or cemetery.

10.13 Sec. 17. Minnesota Statutes 2022, section 149A.70, subdivision 7, is amended to read:

10.14 Subd. 7. **Unprofessional conduct.** No licensee ~~or~~ intern, or transfer care specialist shall
10.15 engage in or permit others under the licensee's ~~or~~ intern's, or transfer care specialist's
10.16 supervision or employment to engage in unprofessional conduct. Unprofessional conduct
10.17 includes, but is not limited to:

10.18 (1) harassing, abusing, or intimidating a customer, employee, or any other person
10.19 encountered while within the scope of practice, employment, or business;

10.20 (2) using profane, indecent, or obscene language within the immediate hearing of the
10.21 family or relatives of the deceased;

10.22 (3) failure to treat with dignity and respect the body of the deceased, any member of the
10.23 family or relatives of the deceased, any employee, or any other person encountered while
10.24 within the scope of practice, employment, or business;

10.25 (4) the habitual overindulgence in the use of or dependence on intoxicating liquors,
10.26 prescription drugs, over-the-counter drugs, illegal drugs, or any other mood altering
10.27 substances that substantially impair a person's work-related judgment or performance;

10.28 (5) revealing personally identifiable facts, data, or information about a decedent, customer,
10.29 member of the decedent's family, or employee acquired in the practice or business without
10.30 the prior consent of the individual, except as authorized by law;

11.1 (6) intentionally misleading or deceiving any customer in the sale of any goods or services
11.2 provided by the licensee;

11.3 (7) knowingly making a false statement in the procuring, preparation, or filing of any
11.4 required permit or document; or

11.5 (8) knowingly making a false statement on a record of death.

11.6 Sec. 18. Minnesota Statutes 2022, section 149A.90, subdivision 2, is amended to read:

11.7 Subd. 2. **Removal from place of death.** No person subject to regulation under this
11.8 chapter shall remove or cause to be removed any dead human body from the place of death
11.9 without being licensed or registered by the commissioner. Every dead human body shall be
11.10 removed from the place of death by a licensed mortician or funeral director, except as
11.11 provided in section 149A.01, subdivision 3.

11.12 Sec. 19. Minnesota Statutes 2022, section 149A.90, subdivision 4, is amended to read:

11.13 Subd. 4. **Certificate of removal.** No dead human body shall be removed from the place
11.14 of death by a mortician ~~or~~ funeral director, or transfer care specialist or by a noncompensated
11.15 person with the right to control the dead human body without the completion of a certificate
11.16 of removal and, where possible, presentation of a copy of that certificate to the person or a
11.17 representative of the legal entity with physical or legal custody of the body at the death site.
11.18 The certificate of removal shall be in the format provided by the commissioner that contains,
11.19 at least, the following information:

11.20 (1) the name of the deceased, if known;

11.21 (2) the date and time of removal;

11.22 (3) a brief listing of the type and condition of any personal property removed with the
11.23 body;

11.24 (4) the location to which the body is being taken;

11.25 (5) the name, business address, and license number of the individual making the removal;
11.26 and

11.27 (6) the signatures of the individual making the removal and, where possible, the individual
11.28 or representative of the legal entity with physical or legal custody of the body at the death
11.29 site.

12.1 Sec. 20. Minnesota Statutes 2022, section 149A.90, subdivision 5, is amended to read:

12.2 Subd. 5. **Retention of certificate of removal.** A copy of the certificate of removal shall
 12.3 be given, where possible, to the person or representative of the legal entity having physical
 12.4 or legal custody of the body at the death site. The original certificate of removal shall be
 12.5 retained by the individual making the removal and shall be kept on file, at the funeral
 12.6 establishment to which the body was taken, for a period of three calendar years following
 12.7 the date of the removal. If the removal was performed by a transfer care specialist not
 12.8 employed by the funeral establishment to which the body was taken, the transfer care
 12.9 specialist must retain a copy of the certificate of removal at the transfer care specialist's
 12.10 business address as registered with the commissioner for a period of three calendar years
 12.11 following the date of removal. Following this period, and subject to any other laws requiring
 12.12 retention of records, the funeral establishment may then place the records in storage or
 12.13 reduce them to microfilm, microfiche, laser disc, or any other method that can produce an
 12.14 accurate reproduction of the original record, for retention for a period of ten calendar years
 12.15 from the date of the removal of the body. At the end of this period and subject to any other
 12.16 laws requiring retention of records, the funeral establishment may destroy the records by
 12.17 shredding, incineration, or any other manner that protects the privacy of the individuals
 12.18 identified in the records.

12.19 ARTICLE 2

12.20 BEHAVIOR ANALYST LICENSURE

12.21 Section 1. [148.9981] DEFINITIONS.

12.22 Subdivision 1. **Scope.** For the purposes of sections 148.9981 to 148.9995, the terms in
 12.23 this section have the meanings given.

12.24 Subd. 2. **Accredited school or educational program.** "Accredited school or educational
 12.25 program" means a school, university, college, or other postsecondary education program
 12.26 that, at the time the student completes the program, is accredited by a regional accrediting
 12.27 association whose standards are substantially equivalent to those of the North Central
 12.28 Association of Colleges and Postsecondary Education Institutions or an accrediting
 12.29 association that evaluates schools of behavior analysis, psychology, or education for inclusion
 12.30 of the education, practicum, and core function standards.

12.31 Subd. 3. **Advisory council.** "Advisory council" means the Behavior Analyst Advisory
 12.32 Council established in section 148.9994.

12.33 Subd. 4. **Board.** "Board" means the Board of Psychology established in section 148.90.

13.1 Subd. 5. **Certifying entity.** "Certifying entity" means the Behavior Analyst Certification
13.2 Board, Inc., or a successor organization or other organization approved by the board in
13.3 consultation with the advisory council.

13.4 Subd. 6. **Client.** "Client" means an individual who is the recipient of behavior analysis
13.5 services. Client also means "patient" as defined in section 144.291, subdivision 2, paragraph
13.6 (g).

13.7 Subd. 7. **Licensed behavior analyst.** "Licensed behavior analyst" or "behavior analyst"
13.8 means an individual who holds a valid license issued under sections 148.9981 to 148.9995
13.9 to engage in the practice of applied behavior analysis.

13.10 Subd. 8. **Licensee.** "Licensee" means an individual who holds a valid license issued
13.11 under sections 148.9981 to 148.9995.

13.12 Subd. 9. **Practice of applied behavior analysis.** (a) "Practice of applied behavior
13.13 analysis" means the design, implementation, and evaluation of social, instructional, and
13.14 environmental modifications to produce socially significant improvements in human behavior.
13.15 The practice of applied behavior analysis includes the empirical identification of functional
13.16 relations between behavior and environmental factors, known as functional behavioral
13.17 assessment and analysis. Applied behavior analysis interventions are based on scientific
13.18 research, direct and indirect observation, and measurement of behavior and environment
13.19 and utilize contextual factors, motivating operations, antecedent stimuli, positive
13.20 reinforcement, and other procedures to help individuals develop new behaviors, increase
13.21 or decrease existing behaviors, and emit behaviors under specific social, instructional, and
13.22 environmental conditions.

13.23 (b) The practice of applied behavior analysis does not include the diagnosis of psychiatric
13.24 or mental health disorders, psychological testing, neuropsychology, psychotherapy, cognitive
13.25 therapy, sex therapy, hypnotherapy, psychoanalysis, or psychological counseling.

13.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

13.27 Sec. 2. **[148.9982] DUTIES OF THE BOARD OF PSYCHOLOGY.**

13.28 Subdivision 1. **General.** The board, in consultation with the advisory council, must:

13.29 (1) adopt and enforce standards for licensure, licensure renewal, and the regulation of
13.30 behavior analysts;

13.31 (2) issue licenses to qualified individuals under sections 148.9981 to 148.9995;

13.32 (3) carry out disciplinary actions against licensed behavior analysts;

14.1 (4) educate the public about the existence and content of the regulations for behavior
14.2 analyst licensing to enable consumers to file complaints against licensees who may have
14.3 violated laws or rules the board is empowered to enforce; and

14.4 (5) collect license fees for behavior analysts as specified under section 148.9995.

14.5 Subd. 2. **Rulemaking.** The board, in consultation with the advisory council, may adopt
14.6 rules necessary to carry out the provisions of sections 148.9981 to 148.9995.

14.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.8 Sec. 3. **[148.9983] REQUIREMENTS FOR LICENSURE.**

14.9 Subdivision 1. **General.** An individual seeking licensure as a behavior analyst must
14.10 complete and submit a written application on forms provided by the board together with
14.11 the appropriate fee as specified under section 148.9995.

14.12 Subd. 2. **Requirements for licensure.** An applicant for licensure as a behavior analyst
14.13 must submit evidence satisfactory to the board that the applicant:

14.14 (1) has a current and active national certification as a board-certified behavior analyst
14.15 issued by the certifying entity; or

14.16 (2) has completed the equivalent requirements for certification by the certifying entity,
14.17 including satisfactorily passing a psychometrically valid examination administered by a
14.18 nationally accredited credentialing organization.

14.19 Subd. 3. **Background investigation.** The applicant must complete a background check
14.20 pursuant to section 214.075.

14.21 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.22 Sec. 4. **[148.9984] LICENSE RENEWAL REQUIREMENTS.**

14.23 Subdivision 1. **Biennial renewal.** A license must be renewed every two years.

14.24 Subd. 2. **License renewal notice.** At least 60 calendar days before the renewal deadline
14.25 date, the board must mail a renewal notice to the licensee's last known address on file with
14.26 the board. The notice must include instructions for accessing an online application for license
14.27 renewal, the renewal deadline, and notice of fees required for renewal. The licensee's failure
14.28 to receive notice does not relieve the licensee of the obligation to meet the renewal deadline
14.29 and other requirements for license renewal.

15.1 Subd. 3. **Renewal requirements.** (a) To renew a license, a licensee must submit to the
15.2 board:

15.3 (1) a completed and signed application for license renewal;

15.4 (2) the license renewal fee as specified under section 148.9995; and

15.5 (3) evidence satisfactory to the board that the licensee holds a current and active national
15.6 certification as a behavior analyst from the certifying entity or otherwise meets renewal
15.7 requirements as established by the board, in consultation with the advisory council.

15.8 (b) The application for license renewal and fee must be postmarked or received by the
15.9 board by the end of the day on which the license expires or the following business day if
15.10 the expiration date falls on a Saturday, Sunday, or holiday. A renewal application that is
15.11 not completed and signed, or that is not accompanied by the correct fee, is void and must
15.12 be returned to the licensee.

15.13 Subd. 4. **Pending renewal.** If a licensee's application for license renewal is postmarked
15.14 or received by the board by the end of the business day on the expiration date of the license
15.15 or the following business day if the expiration date falls on a Saturday, Sunday, or holiday,
15.16 the licensee may continue to practice after the expiration date while the application for
15.17 license renewal is pending with the board.

15.18 Subd. 5. **Late renewal fee.** If the application for license renewal is postmarked or
15.19 received after the expiration date of the license or the following business day if the expiration
15.20 date falls on a Saturday, Sunday, or holiday, the licensee must pay a biennial renewal late
15.21 fee as specified by section 148.9995, in addition to the renewal fee, before the licensee's
15.22 application for license renewal will be considered by the board.

15.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

15.24 Sec. 5. **[148.9985] EXPIRED LICENSE.**

15.25 (a) Within 30 days after the renewal date, a licensee who has not renewed their license
15.26 must be notified by letter, sent to the last known address of the licensee in the board's file,
15.27 that the renewal is overdue and that failure to pay the current fee and current biennial renewal
15.28 late fee within 60 days after the renewal date will result in termination of the license.

15.29 (b) The board must terminate the license of a licensee whose license renewal is at least
15.30 60 days overdue and to whom notification has been sent as provided in paragraph (a). Failure
15.31 of a licensee to receive notification is not grounds for later challenge of the termination.

16.1 The former licensee must be notified of the termination by letter within seven days after
16.2 board action, in the same manner as provided in paragraph (a).

16.3 (c) Notwithstanding paragraph (b), the board retains jurisdiction over a former licensee
16.4 for complaints received after termination of a license regarding conduct that occurred during
16.5 licensure.

16.6 **EFFECTIVE DATE.** This section is effective July 1, 2024.

16.7 Sec. 6. **[148.9986] PROHIBITED PRACTICE OR USE OF TITLES; PENALTY.**

16.8 Subdivision 1. **Practice.** Effective January 1, 2025, an individual must not engage in
16.9 the practice of applied behavior analysis unless the individual is licensed under sections
16.10 148.9981 to 148.9995 as a behavior analyst or is exempt under section 148.9987. A
16.11 psychologist licensed under sections 148.88 to 148.981 who practices behavior analysis is
16.12 not required to obtain a license as a behavior analyst under sections 148.9981 to 148.9995.

16.13 Subd. 2. **Use of titles.** (a) An individual must not use a title incorporating the words
16.14 "licensed behavior analyst," or "behavior analyst," or use any other title or description stating
16.15 or implying that they are licensed or otherwise qualified to practice applied behavior analysis,
16.16 unless that person holds a valid license under sections 148.9981 to 148.9995.

16.17 (b) Notwithstanding paragraph (a), a licensed psychologist who practices applied behavior
16.18 analysis within the psychologist's scope of practice may use the title "behavior analyst," but
16.19 must not use the title "licensed behavior analyst" unless the licensed psychologist holds a
16.20 valid license as a behavior analyst issued under sections 148.9981 to 148.9995.

16.21 Subd. 3. **Penalty.** An individual who violates this section is guilty of a misdemeanor.

16.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.

16.23 Sec. 7. **[148.9987] EXCEPTIONS TO LICENSE REQUIREMENT.**

16.24 (a) Sections 148.9981 to 148.9995 must not be construed to prohibit or restrict:

16.25 (1) the practice of an individual who is licensed to practice psychology in the state or
16.26 an individual who is providing psychological services under the supervision of a licensed
16.27 psychologist in accordance with section 148.925;

16.28 (2) the practice of any other profession or occupation licensed, certified, or registered
16.29 by the state by an individual duly licensed, certified, or registered to practice the profession
16.30 or occupation or to perform any act that falls within the scope of practice of the profession
16.31 or occupation;

17.1 (3) an individual who is employed by a school district from providing behavior analysis
17.2 services as part of the individual's employment with the school district, so long as the
17.3 individual does not provide behavior analysis services to any person or entity other than as
17.4 an employee of the school district or accept remuneration for the provision of behavior
17.5 analysis services outside of the individual's employment with the school district;

17.6 (4) an employee of a program licensed under chapter 245D from providing the services
17.7 described in section 245D.091, subdivision 1;

17.8 (5) teaching behavior analysis or conducting behavior analysis research if the teaching
17.9 or research does not involve the direct delivery of behavior analysis services;

17.10 (6) providing behavior analysis services by an unlicensed supervisee or trainee under
17.11 the authority and direction of a licensed behavior analyst and in compliance with the licensure
17.12 and supervision standards required by law or rule;

17.13 (7) a family member or guardian of the recipient of behavior analysis services from
17.14 performing behavior analysis services under the authority and direction of a licensed behavior
17.15 analyst; or

17.16 (8) students or interns enrolled in an accredited school or educational program, or
17.17 participating in a behavior analysis practicum, from engaging in the practice of applied
17.18 behavior analysis while supervised by a licensed behavior analyst or instructor of an
17.19 accredited school or educational program. These individuals must be designated as a behavior
17.20 analyst student or intern.

17.21 (b) Notwithstanding paragraph (a), a licensed psychologist may supervise an unlicensed
17.22 supervisee, trainee, student, or intern who is engaged in the practice of behavior analysis if
17.23 the supervision is authorized under the Minnesota Psychology Practice Act.

17.24 **EFFECTIVE DATE.** This section is effective July 1, 2024.

17.25 Sec. 8. **[148.9988] NONTRANSFERABILITY OF LICENSES.**

17.26 A behavior analyst license is not transferable.

17.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

17.28 Sec. 9. **[148.9989] DUTY TO MAINTAIN CURRENT INFORMATION.**

17.29 All licensees and applicants for licensure must notify the board within 30 days of the
17.30 occurrence of:

18.1 (1) a change of name, address, place of employment, or home or business telephone
18.2 number; or

18.3 (2) a change in any other application information.

18.4 **EFFECTIVE DATE.** This section is effective July 1, 2024.

18.5 Sec. 10. **[148.999] DISCIPLINE; REPORTING.**

18.6 For purposes of sections 148.9981 to 148.9995, behavior analysts are subject to the
18.7 provisions of sections 148.941, 148.952 to 148.965, and 148.98.

18.8 **EFFECTIVE DATE.** This section is effective July 1, 2024.

18.9 Sec. 11. **[148.9991] COMPETENT PROVISION OF SERVICES.**

18.10 Subdivision 1. **Limits on practice.** Behavior analysts must limit practice to the client
18.11 populations and services for which the behavior analysts have competence or for which the
18.12 behavior analysts are developing competence.

18.13 Subd. 2. **Developing competence.** When a behavior analyst is developing competence
18.14 in a service, method, or procedure, or is developing competence to treat a specific client
18.15 population, the behavior analyst must obtain professional education, training, continuing
18.16 education, consultation, supervision or experience, or a combination thereof, necessary to
18.17 demonstrate competence.

18.18 Subd. 3. **Limitations.** A behavior analyst must recognize the limitations to the scope of
18.19 practice of applied behavior analysis. When the needs of a client appear to be outside the
18.20 behavior analyst's scope of practice, the behavior analyst must inform the client that there
18.21 may be other professional, technical, community, and administrative resources available to
18.22 the client. A behavior analyst must assist with identifying resources when it is in the best
18.23 interest of a client to be provided with alternative or complementary services.

18.24 Subd. 4. **Burden of proof.** Whenever a complaint is submitted to the board involving
18.25 a violation of this section, the burden of proof is on the behavior analyst to demonstrate that
18.26 the elements of competence have been reasonably met.

18.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

19.1 Sec. 12. [148.9992] DUTY TO WARN; LIMITATION ON LIABILITY; VIOLENT
19.2 BEHAVIOR OF PATIENT.

19.3 Subdivision 1. Definitions. (a) For the purposes of this section, the terms in this
19.4 subdivision have the meanings given.

19.5 (b) "Other person" means an immediate family member or someone who personally
19.6 knows the client and has reason to believe the client is capable of and will carry out a serious,
19.7 specific threat of harm to a specific, clearly identified or identifiable victim.

19.8 (c) "Reasonable efforts" means communicating a serious, specific threat to the potential
19.9 victim and, if unable to make contact with the potential victim, communicating the serious,
19.10 specific threat to the law enforcement agency closest to the potential victim or the client.

19.11 (d) "Licensee" includes behavior analysis students, interns, and unlicensed supervisees
19.12 who are participating in a behavior analysis practicum or enrolled in an accredited school
19.13 or educational program.

19.14 Subd. 2. Duty to warn. The duty to predict, warn of, or take reasonable precautions to
19.15 provide protection from violent behavior arises only when a client or other person has
19.16 communicated to the licensee a specific, serious threat of physical violence against a specific,
19.17 clearly identified or identifiable potential victim. If a duty to warn arises, the duty is
19.18 discharged by the licensee if reasonable efforts are made to communicate the threat.

19.19 Subd. 3. Liability standard. If no duty to warn exists under subdivision 2, then no
19.20 monetary liability and no cause of action may arise against a licensee for failure to predict,
19.21 warn of, or take reasonable precautions to provide protection from a client's violent behavior.

19.22 Subd. 4. Disclosure of confidences. Good faith compliance with the duty to warn must
19.23 not constitute a breach of confidence and must not result in monetary liability or a cause of
19.24 action against the licensee.

19.25 Subd. 5. Continuity of care. Subdivision 2 must not be construed to authorize a licensee
19.26 to terminate treatment of a client as a direct result of a client's violent behavior or threat of
19.27 physical violence unless the client is referred to another practitioner or appropriate health
19.28 care facility.

19.29 Subd. 6. Exception. This section does not apply to a threat to commit suicide or other
19.30 threats by a client to harm the client, or to a threat by a client who is adjudicated as a person
19.31 who has a mental illness and is dangerous to the public under chapter 253B.

19.32 Subd. 7. Optional disclosure. This section must not be construed to prohibit a licensee
19.33 from disclosing confidences to third parties in a good faith effort to warn or take precautions

20.1 against a client's violent behavior or threat to commit suicide for which a duty to warn does
20.2 not arise.

20.3 Subd. 8. **Limitation on liability.** No monetary liability and no cause of action or
20.4 disciplinary action by the board may arise against a licensee for disclosure of confidences
20.5 to third parties, for failure to disclose confidences to third parties, or for erroneous disclosure
20.6 of confidences to third parties in a good faith effort to warn against or take precautions
20.7 against a client's violent behavior or threat of suicide for which a duty to warn does not
20.8 arise.

20.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

20.10 Sec. 13. **[148.9993] INFORMED CONSENT.**

20.11 Subdivision 1. **Obtaining informed consent for services.** A behavior analyst must
20.12 obtain informed consent from the client or the client's legal guardian before initiating
20.13 services. The informed consent must be in writing, signed by the client, and include, at a
20.14 minimum, the following:

20.15 (1) consent for the behavior analyst to engage in activities that directly affect the client;

20.16 (2) the goals, purposes, and procedures of the proposed services;

20.17 (3) the factors that may impact the duration of the proposed services;

20.18 (4) the applicable fee schedule for the proposed services;

20.19 (5) the significant risks and benefits of the proposed services;

20.20 (6) the behavior analyst's limits under section 148.9991, including, if applicable,
20.21 information that the behavior analyst is developing competence in the proposed service,
20.22 method, or procedure, and alternatives to the proposed service, if any; and

20.23 (7) the behavior analyst's responsibilities if the client terminates the service.

20.24 Subd. 2. **Updating informed consent.** If there is a substantial change in the nature or
20.25 purpose of a service, the behavior analyst must obtain a new informed consent from the
20.26 client.

20.27 Subd. 3. **Emergency or crisis services.** Informed consent is not required when a behavior
20.28 analyst is providing emergency or crisis services. If services continue after the emergency
20.29 or crisis has abated, informed consent must be obtained.

20.30 **EFFECTIVE DATE.** This section is effective July 1, 2024.

21.1 **Sec. 14. [148.9994] BEHAVIOR ANALYST ADVISORY COUNCIL.**

21.2 Subdivision 1. **Membership.** The Behavior Analyst Advisory Council is created and
21.3 composed of five members appointed by the board. The advisory council consists of:

21.4 (1) one public member as defined in section 214.02;

21.5 (2) three members who are licensed behavior analysts; and

21.6 (3) one member who is a licensed psychologist and, to the extent practicable, who
21.7 practices applied behavior analysis.

21.8 Subd. 2. **Administration.** The advisory council is established and administered under
21.9 section 15.059, except that the advisory council does not expire.

21.10 Subd. 3. **Duties.** The advisory council must:

21.11 (1) advise the board regarding standards for behavior analysts;

21.12 (2) assist with the distribution of information regarding behavior analyst standards;

21.13 (3) advise the board on enforcement of sections 148.9981 to 148.9995;

21.14 (4) review license applications and license renewal applications and make
21.15 recommendations to the board;

21.16 (5) review complaints and complaint investigation reports and make recommendations
21.17 to the board on whether disciplinary action should be taken and, if applicable, what type;

21.18 (6) advise the board regarding evaluation and treatment protocols; and

21.19 (7) perform other duties authorized for advisory councils under chapter 214 as directed
21.20 by the board to ensure effective oversight of behavior analysts.

21.21 **EFFECTIVE DATE.** This section is effective July 1, 2024.

21.22 **Sec. 15. [148.9995] FEES.**

21.23 Subdivision 1. **Fees.** All applicants and licensees must pay fees as follows:

21.24 (1) application fee, \$225;

21.25 (2) license renewal fee, \$225;

21.26 (3) inactive license renewal fee, \$125;

21.27 (4) biennial renewal late fee, \$100;

21.28 (5) inactive license renewal late fee, \$100; and

22.1 (6) supervisor application processing fee, \$225.

22.2 Subd. 2. **Nonrefundable fees.** All fees in this section are nonrefundable.

22.3 Subd. 3. **Deposit of fees.** Fees collected by the board under this section must be deposited
22.4 in the state government special revenue fund.

22.5 **EFFECTIVE DATE.** This section is effective July 1, 2024.

22.6 Sec. 16. **INITIAL BEHAVIOR ANALYST ADVISORY COUNCIL.**

22.7 The Board of Psychology must make the first appointments to the Behavior Analyst
22.8 Advisory Council authorized under Minnesota Statutes, section 148.9994, by September 1,
22.9 2024. The initial behavior analysts appointed to the advisory council need not be licensed
22.10 under Minnesota Statutes, sections 148.9981 to 148.9995, but must hold a current and active
22.11 national certification as a board certified behavior analyst. The chair of the Board of
22.12 Psychology must convene the first meeting of the council by September 1, 2024, and must
22.13 convene subsequent meetings of the council until an advisory chair is elected. The council
22.14 must elect a chair from its members by the third meeting of the council.

22.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

22.16 **ARTICLE 3**

22.17 **BOARD OF VETERINARY MEDICINE**

22.18 Section 1. Minnesota Statutes 2022, section 156.001, is amended by adding a subdivision
22.19 to read:

22.20 Subd. 5a. **Direct supervision.** "Direct supervision" means:

22.21 (1) when a supervising veterinarian or licensed veterinary technician is in the immediate
22.22 area and within audible or visual range of an animal and the unlicensed veterinary employee
22.23 treating the animal;

22.24 (2) the supervising veterinarian has met the requirements of a veterinarian-client-patient
22.25 relationship under section 156.16, subdivision 12; and

22.26 (3) the supervising veterinarian assumes responsibility for the professional care given
22.27 to an animal by a person working under the veterinarian's direction.

22.28 **EFFECTIVE DATE.** This section is effective July 1, 2025.

23.1 Sec. 2. Minnesota Statutes 2022, section 156.001, is amended by adding a subdivision to
23.2 read:

23.3 Subd. 7a. **Licensed veterinary technician.** "Licensed veterinary technician" means a
23.4 person licensed by the board under section 156.077.

23.5 **EFFECTIVE DATE.** This section is effective July 1, 2025.

23.6 Sec. 3. Minnesota Statutes 2022, section 156.001, is amended by adding a subdivision to
23.7 read:

23.8 Subd. 10b. **Remote supervision.** "Remote supervision" means:

23.9 (1) a veterinarian is not on the premises but is acquainted with the keeping and care of
23.10 an animal by virtue of an examination of the animal or medically appropriate and timely
23.11 visits to the premises where the animal is kept;

23.12 (2) the veterinarian has given written or oral instructions to a licensed veterinary
23.13 technician for ongoing care of an animal and is available by telephone or other form of
23.14 immediate communication; and

23.15 (3) the employee treating the animal timely enters into the animal's medical record
23.16 documentation of the treatment provided, and the documentation is reviewed by the
23.17 veterinarian.

23.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.

23.19 Sec. 4. Minnesota Statutes 2022, section 156.001, is amended by adding a subdivision to
23.20 read:

23.21 Subd. 12. **Veterinary technology.** "Veterinary technology" means the science and
23.22 practice of providing professional support to veterinarians, including the direct supervision
23.23 of unlicensed veterinary employees. Veterinary technology does not include veterinary
23.24 diagnosis, prognosis, surgery, or medication prescription.

23.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

23.26 Sec. 5. Minnesota Statutes 2022, section 156.07, is amended to read:

23.27 **156.07 LICENSE RENEWAL.**

23.28 Persons licensed under this chapter shall conspicuously display their license in their
23.29 principal place of business.

24.1 Persons now ~~qualified to practice veterinary medicine~~ licensed in this state, or who shall
24.2 hereafter be licensed by the Board of Veterinary Medicine ~~to engage in the practice as~~
24.3 veterinarians or veterinary technicians, shall periodically renew their license in a manner
24.4 prescribed by the board. The board shall establish license renewal fees and continuing
24.5 education requirements. The board may establish, by rule, an inactive license category, at
24.6 a lower fee, for licensees not actively engaged in the practice of veterinary medicine or
24.7 veterinary technology within the state of Minnesota. The board may assess a charge for
24.8 delinquent payment of a renewal fee.

24.9 Any person who is licensed to practice veterinary medicine or veterinary technology in
24.10 this state pursuant to this chapter, shall be entitled to receive a license to continue to practice
24.11 upon making application to the board and complying with the terms of this section and rules
24.12 of the board.

24.13 **EFFECTIVE DATE.** This section is effective July 1, 2025.

24.14 Sec. 6. **[156.0721] INSTITUTIONAL LICENSURE.**

24.15 **Subdivision 1. Application and eligibility.** (a) Any person who seeks to practice
24.16 veterinary medicine while employed by the University of Minnesota and who is not eligible
24.17 for a regular license shall make a written application to the board for an institutional license
24.18 using forms provided for that purpose or in a format accepted by the board. The board shall
24.19 issue an institutional license to practice veterinary medicine to an applicant who:

24.20 (1) has obtained the degree of doctor of veterinary medicine or its equivalent from a
24.21 nonaccredited college of veterinary medicine. A graduate from an accredited college and
24.22 an applicant who has earned ECFVG or PAVE certificates should apply for a regular license
24.23 to practice veterinary medicine;

24.24 (2) has passed the Minnesota Veterinary Jurisprudence Examination;

24.25 (3) is a person of good moral character, as attested by five notarized reference letters
24.26 from adults not related to the applicant, at least two of whom are licensed veterinarians in
24.27 the jurisdiction where the applicant is currently practicing or familiar with the applicant's
24.28 clinical abilities as evidenced in clinical rotations;

24.29 (4) has paid the license application fee;

24.30 (5) provides proof of employment by the University of Minnesota;

24.31 (6) certifies that the applicant understands and agrees that the institutional license is
24.32 valid only for the practice of veterinary medicine associated with the applicant's employment

25.1 as a faculty member, intern, resident, or locum of the University of Minnesota College of
25.2 Veterinary Medicine or other unit of the University of Minnesota;

25.3 (7) provides proof of graduation from a veterinary college;

25.4 (8) completed a criminal background check as defined in section 214.075; and

25.5 (9) provides other information and proof as the board may require by rules and
25.6 regulations.

25.7 (b) The University of Minnesota may submit the applications of its employees who seek
25.8 an institutional license in a compiled format acceptable to the board, with any license
25.9 application fees in a single form of payment.

25.10 (c) The fee for a license issued under this subdivision is the same as for a regular license
25.11 to practice veterinary medicine in the state. License payment and renewal deadlines, late
25.12 payment fees, and other license requirements are also the same as for a regular license to
25.13 practice veterinary medicine.

25.14 (d) The University of Minnesota may be responsible for timely payment of renewal fees
25.15 and submission of renewal forms.

25.16 Subd. 2. **Scope of practice.** (a) An institutional license holder may practice veterinary
25.17 medicine only as related to the license holder's regular function at the University of
25.18 Minnesota. A person holding only an institutional license in this state must be remunerated
25.19 for the practice of veterinary medicine in the state solely from state, federal, or institutional
25.20 funds and not from the patient-owner beneficiary of the license holder's practice efforts.

25.21 (b) A license issued under this section must be canceled by the board upon receipt of
25.22 information from the University of Minnesota that the holder of the license has left or is
25.23 otherwise no longer employed at the University of Minnesota in this state.

25.24 (c) An institutional license holder must abide by all laws governing the practice of
25.25 veterinary medicine in the state and is subject to the same disciplinary action as any other
25.26 veterinarian licensed in the state.

25.27 Sec. 7. **[156.076] DIRECT SUPERVISION; UNLICENSED VETERINARY**
25.28 **EMPLOYEES.**

25.29 (a) An unlicensed veterinary employee may only administer medication or render
25.30 auxiliary or supporting assistance under the direct supervision of a licensed veterinarian or
25.31 licensed veterinary technician.

25.32 (b) This section does not prohibit:

26.1 (1) the performance of generalized nursing tasks ordered by the veterinarian and
26.2 performed by an unlicensed employee on inpatient animals during the hours when a
26.3 veterinarian is not on the premises; or

26.4 (2) under emergency conditions, an unlicensed employee from rendering lifesaving aid
26.5 and treatment to an animal in the absence of a veterinarian if the animal is in a life-threatening
26.6 condition and requires immediate treatment to sustain life or prevent further injury.

26.7 **EFFECTIVE DATE.** This section is effective July 1, 2025.

26.8 **Sec. 8. [156.077] LICENSED VETERINARY TECHNICIANS.**

26.9 Subdivision 1. **Licensure; practice.** (a) The board shall issue a license to practice as a
26.10 veterinary technician to an applicant who satisfies the requirements in this section and those
26.11 imposed by the board in rule. A licensed veterinary technician may practice veterinary
26.12 technology. A person may not use the title "veterinary technician" or the abbreviation "LVT"
26.13 unless licensed by the board.

26.14 (b) The board may adopt by rule additional licensure requirements or definitions for
26.15 veterinary technician titles.

26.16 Subd. 2. **Applicants; qualifications.** Application for a license to practice veterinary
26.17 technology in this state shall be made to the board on a form furnished by the board and
26.18 accompanied by evidence satisfactory to the board that the applicant is at least 18 years of
26.19 age, is of good moral character, and has met the following requirements:

26.20 (1) graduated from a veterinary technology program accredited or approved by the
26.21 American Veterinary Medical Association or Canadian Veterinary Medical Association;

26.22 (2) received a passing score for the Veterinary Technician National Examination;

26.23 (3) received a passing score for the Minnesota Veterinary Technician Jurisprudence
26.24 Examination; and

26.25 (4) completed a criminal background check.

26.26 Subd. 3. **Required with application.** A completed application must contain the following
26.27 information and material:

26.28 (1) the application fee set by the board, which is not refundable if permission to take the
26.29 jurisprudence examination is denied for good cause;

27.1 (2) proof of graduation from a veterinary technology program accredited or approved
27.2 by the American Veterinary Medical Association or Canadian Veterinary Medical
27.3 Association;

27.4 (3) affidavits from at least two licensed veterinarians and three adults who are not related
27.5 to the applicant that establish how long, when, and under what circumstances the references
27.6 have known the applicant and any other facts that may enable the board to determine the
27.7 applicant's qualifications; and

27.8 (4) if the applicant has served in the armed forces, a copy of the applicant's discharge
27.9 papers.

27.10 Subd. 4. **Temporary alternative qualifications.** (a) The board shall consider an
27.11 application for licensure submitted by a person before July 1, 2030, if the person provides
27.12 evidence satisfactory to the board that the person:

27.13 (1) is a certified veterinary technician in good standing with the Minnesota Veterinary
27.14 Medical Association; or

27.15 (2) has at least 4,160 hours actively engaged in the practice of veterinary technology
27.16 within the previous five years.

27.17 (b) Each applicant under this subdivision must also submit to the board affidavits from
27.18 at least two licensed veterinarians and three adults who are not related to the applicant that
27.19 establish how long, when, and under what circumstances the references have known the
27.20 applicant and any other facts that may enable the board to determine the applicant's
27.21 qualifications.

27.22 **EFFECTIVE DATE.** This section is effective July 1, 2025.

27.23 Sec. 9. **[156.078] NONRESIDENTS; LICENSED VETERINARY TECHNICIANS.**

27.24 A credentialed veterinary technician duly admitted to practice in any state,
27.25 commonwealth, territory, or district of the United States or province of Canada that desires
27.26 permission to practice veterinary technology in this state shall submit an application to the
27.27 board on a form furnished by the board. The board shall review an application for transfer
27.28 if the applicant submits:

27.29 (1) a copy of a diploma from an accredited or approved college of veterinary technology
27.30 or certification from the dean, registrar, or secretary of an accredited or approved college
27.31 of veterinary technology or a certificate of satisfactory completion of the PAVE program;

28.1 (2) if requesting waiver of examination, evidence of meeting licensure requirements in
28.2 the state of the applicant's original licensure;

28.3 (3) affidavits of two licensed practicing doctors of veterinary medicine or veterinary
28.4 technicians residing in the United States or Canadian licensing jurisdiction in which the
28.5 applicant is or was most recently practicing, attesting that they are well acquainted with the
28.6 applicant, that the applicant is a person of good moral character, and that the applicant has
28.7 been actively engaged in practicing or teaching in such jurisdiction;

28.8 (4) a certificate from the agency that regulates the conduct of practice of veterinary
28.9 technology in the jurisdiction in which the applicant is or was most recently practicing,
28.10 stating that the applicant is in good standing and is not the subject of disciplinary action or
28.11 pending disciplinary action;

28.12 (5) a certificate from all other jurisdictions in which the applicant holds a currently active
28.13 license or held a license within the past ten years, stating that the applicant is and was in
28.14 good standing and has not been subject to disciplinary action;

28.15 (6) in lieu of the certificates in clauses (4) and (5), certification from the Veterinary
28.16 Information Verification Agency that the applicant's licensure is in good standing;

28.17 (7) a fee as set by the board in form of check or money order payable to the board, no
28.18 part of which shall be refunded should the application be denied;

28.19 (8) score reports on previously taken national examinations in veterinary technology,
28.20 certified by the Veterinary Information Verification Agency or evidence of employment as
28.21 a veterinary technician for at least three years;

28.22 (9) proof that the applicant received a passing score for the Minnesota Veterinary
28.23 Technician Jurisprudence Examination; and

28.24 (10) proof of a completed criminal background check.

28.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

28.26 Sec. 10. Minnesota Statutes 2022, section 156.12, subdivision 2, is amended to read:

28.27 Subd. 2. **Authorized activities.** No provision of this chapter shall be construed to prohibit:

28.28 (a) a person from rendering necessary gratuitous assistance in the treatment of any animal
28.29 when the assistance does not amount to prescribing, testing for, or diagnosing, operating,
28.30 or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

29.1 (b) a person who is a regular student in an accredited or approved college of veterinary
29.2 medicine from performing duties or actions assigned by instructors or preceptors or working
29.3 under the direct supervision of a licensed veterinarian;

29.4 (c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed
29.5 veterinarian in this state;

29.6 (d) the owner of an animal and the owner's regular employee from caring for and
29.7 administering to the animal belonging to the owner, except where the ownership of the
29.8 animal was transferred for purposes of circumventing this chapter;

29.9 (e) veterinarians who are in compliance with ~~subdivision 6~~ section 156.0721 and who
29.10 are employed by the University of Minnesota from performing their duties with the College
29.11 of Veterinary Medicine, ~~College of Agriculture~~; Veterinary Diagnostic Laboratory;
29.12 Agricultural Experiment Station; Agricultural Extension Service; Medical School; School
29.13 of Public Health; School of Nursing; or other unit within the university; or a person from
29.14 lecturing or giving instructions or demonstrations at the university or in connection with a
29.15 continuing education course or seminar to veterinarians ~~or pathologists at the University of~~
29.16 ~~Minnesota Veterinary Diagnostic Laboratory~~;

29.17 (f) any person from selling or applying any pesticide, insecticide or herbicide;

29.18 (g) any person from engaging in bona fide scientific research or investigations which
29.19 reasonably requires experimentation involving animals;

29.20 (h) any employee of a licensed veterinarian from performing duties other than diagnosis,
29.21 prescription or surgical correction under the direction and supervision of the veterinarian,
29.22 who shall be responsible for the performance of the employee;

29.23 (i) a graduate of a foreign college of veterinary medicine from working under the direct
29.24 personal instruction, control, or supervision of a veterinarian faculty member of the College
29.25 of Veterinary Medicine, University of Minnesota in order to complete the requirements
29.26 necessary to obtain an ECFVG or PAVE certificate;

29.27 (j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing
29.28 animal chiropractic; or

29.29 (k) a person certified by the Emergency Medical Services Regulatory Board under
29.30 chapter 144E from providing emergency medical care to a police dog wounded in the line
29.31 of duty.

30.1 Sec. 11. Minnesota Statutes 2022, section 156.12, subdivision 4, is amended to read:

30.2 Subd. 4. **Titles.** It is unlawful for a person who has not received a professional degree
30.3 from an accredited or approved college of veterinary medicine, ~~or~~ ECFVG or PAVE
30.4 certification, or an institutional license under section 156.0721 to use any of the following
30.5 titles or designations: Veterinary, veterinarian, animal doctor, animal surgeon, animal dentist,
30.6 animal chiropractor, animal acupuncturist, or any other title, designation, word, letter,
30.7 abbreviation, sign, card, or device tending to indicate that the person is qualified to practice
30.8 veterinary medicine.

30.9 Sec. 12. **REPEALER.**

30.10 Minnesota Statutes 2022, section 156.12, subdivision 6, is repealed.

30.11 ARTICLE 4

30.12 BOARD OF DENTISTRY

30.13 Section 1. Minnesota Statutes 2022, section 150A.06, subdivision 1c, is amended to read:

30.14 Subd. 1c. **Specialty dentists.** (a) The board may grant one or more specialty licenses in
30.15 the specialty areas of dentistry that are recognized by the Commission on Dental
30.16 Accreditation.

30.17 (b) An applicant for a specialty license shall:

30.18 (1) have successfully completed a postdoctoral specialty program accredited by the
30.19 Commission on Dental Accreditation, or have announced a limitation of practice before
30.20 1967;

30.21 (2) have been certified by a specialty board approved by the Minnesota Board of
30.22 Dentistry, or provide evidence of having passed a clinical examination for licensure required
30.23 for practice in any state or Canadian province, or in the case of oral and maxillofacial
30.24 surgeons only, have a Minnesota medical license in good standing;

30.25 (3) have been in active practice or a postdoctoral specialty education program or United
30.26 States government service at least 2,000 hours in the 36 months prior to applying for a
30.27 specialty license;

30.28 (4) if requested by the board, be interviewed by a committee of the board, which may
30.29 include the assistance of specialists in the evaluation process, and satisfactorily respond to
30.30 questions designed to determine the applicant's knowledge of dental subjects and ability to
30.31 practice;

31.1 (5) if requested by the board, present complete records on a sample of patients treated
 31.2 by the applicant. The sample must be drawn from patients treated by the applicant during
 31.3 the 36 months preceding the date of application. The number of records shall be established
 31.4 by the board. The records shall be reasonably representative of the treatment typically
 31.5 provided by the applicant for each specialty area;

31.6 (6) at board discretion, pass a board-approved English proficiency test if English is not
 31.7 the applicant's primary language;

31.8 (7) pass all components of the National Board Dental Examinations;

31.9 (8) pass the Minnesota Board of Dentistry jurisprudence examination;

31.10 (9) abide by professional ethical conduct requirements; and

31.11 (10) meet all other requirements prescribed by the Board of Dentistry.

31.12 (c) The application must include:

31.13 (1) a completed application furnished by the board;

31.14 (2) a nonrefundable fee; and

31.15 (3) a copy of the applicant's government-issued photo identification card.

31.16 (d) A specialty dentist holding one or more specialty licenses is limited to practicing in
 31.17 the dentist's designated specialty area or areas. The scope of practice must be defined by
 31.18 each national specialty board recognized by the Commission on Dental Accreditation.

31.19 ~~(e) A specialty dentist holding a general dental license is limited to practicing in the~~
 31.20 ~~dentist's designated specialty area or areas if the dentist has announced a limitation of~~
 31.21 ~~practice. The scope of practice must be defined by each national specialty board recognized~~
 31.22 ~~by the Commission on Dental Accreditation.~~

31.23 ~~(f)~~ (e) All specialty dentists who have fulfilled the specialty dentist requirements and
 31.24 who intend to limit their practice to a particular specialty area or areas may apply for one
 31.25 or more specialty licenses.

31.26 Sec. 2. Minnesota Statutes 2022, section 150A.06, subdivision 8, is amended to read:

31.27 Subd. 8. **Licensure by credentials; dental assistant.** (a) Any dental assistant may, upon
 31.28 application and payment of a fee established by the board, apply for licensure based on an
 31.29 evaluation of the applicant's education, experience, and performance record in lieu of
 31.30 completing a board-approved dental assisting program for expanded functions as defined
 31.31 in rule, and may be interviewed by the board to determine if the applicant:

32.1 (1) has graduated from an accredited dental assisting program accredited by the
32.2 Commission on Dental Accreditation ~~and~~ or is currently certified by the Dental Assisting
32.3 National Board;

32.4 (2) is not subject to any pending or final disciplinary action in another state or Canadian
32.5 province, or if not currently certified or registered, previously had a certification or
32.6 registration in another state or Canadian province in good standing that was not subject to
32.7 any final or pending disciplinary action at the time of surrender;

32.8 (3) is of good moral character and abides by professional ethical conduct requirements;

32.9 (4) at board discretion, has passed a board-approved English proficiency test if English
32.10 is not the applicant's primary language; and

32.11 (5) has met all expanded functions curriculum equivalency requirements of a Minnesota
32.12 board-approved dental assisting program.

32.13 (b) The board, at its discretion, may waive specific licensure requirements in paragraph
32.14 (a).

32.15 (c) An applicant who fulfills the conditions of this subdivision and demonstrates the
32.16 minimum knowledge in dental subjects required for licensure under subdivision 2a must
32.17 be licensed to practice the applicant's profession.

32.18 (d) If the applicant does not demonstrate the minimum knowledge in dental subjects
32.19 required for licensure under subdivision 2a, the application must be denied. If licensure is
32.20 denied, the board may notify the applicant of any specific remedy that the applicant could
32.21 take which, when passed, would qualify the applicant for licensure. A denial does not
32.22 prohibit the applicant from applying for licensure under subdivision 2a.

32.23 (e) A candidate whose application has been denied may appeal the decision to the board
32.24 according to subdivision 4a.

32.25 ARTICLE 5

32.26 PHYSICIAN ASSISTANT PRACTICE

32.27 Section 1. **REPEALER.**

32.28 Minnesota Statutes 2022, section 147A.09, subdivision 5, is repealed.

33.1 **ARTICLE 6**

33.2 **BOARD OF SOCIAL WORK**

33.3 Section 1. Minnesota Statutes 2022, section 148D.061, subdivision 1, is amended to read:

33.4 Subdivision 1. **Requirements for a provisional license.** An applicant may be issued a
33.5 provisional license if the applicant:

33.6 ~~(1) was born in a foreign country;~~

33.7 ~~(2) communicates in English as a second language;~~

33.8 ~~(3) has taken the applicable examination administered by the Association of Social Work
33.9 Boards or similar examination body designated by the board;~~

33.10 ~~(4) (1) has met the requirements of section 148E.055, subdivision 2, paragraph (a),
33.11 clauses (1), (3), (4), (5), and (6); or subdivision 3, paragraph (a), clauses (1), (3), (4), (5),
33.12 and (6); or subdivision 4, paragraph (a), clauses (1), (2), (4), (5), (6), and (7); or subdivision
33.13 5, paragraph (a), clauses (1), (2), (3), (5), (6), (7), and (8); and~~

33.14 ~~(5) (2) complies with the requirements of subdivisions 2 to 7.~~

33.15 **EFFECTIVE DATE.** This section is effective October 1, 2024.

33.16 Sec. 2. Minnesota Statutes 2022, section 148D.061, subdivision 8, is amended to read:

33.17 Subd. 8. **Disciplinary or other action.** A licensee who is issued a provisional license
33.18 is subject to the grounds for disciplinary action under section 148E.190. The board may
33.19 also take action according to sections 148E.260 to 148E.270 if:

33.20 (1) the licensee's supervisor does not submit an evaluation as required by section
33.21 148D.063;

33.22 (2) an evaluation submitted according to section 148D.063 indicates that the licensee
33.23 cannot practice social work competently and ethically; or

33.24 (3) the licensee does not comply with the requirements of subdivisions 1 to 7.

33.25 **EFFECTIVE DATE.** This section is effective October 1, 2024.

33.26 Sec. 3. Minnesota Statutes 2022, section 148D.062, subdivision 3, is amended to read:

33.27 Subd. 3. **Types of supervision.** (a) ~~Twenty-five hours~~ Half of the supervision hours
33.28 required by subdivision 1 must consist of one-on-one in-person supervision. The supervision
33.29 must be provided either in person or via eye-to-eye electronic media while maintaining
33.30 visual contact.

34.1 (b) ~~Twelve and one-half hours~~ Half of the supervision hours must consist of one or more
34.2 of the following types of supervision:

34.3 (1) ~~in-person~~ one-on-one supervision provided in person or via eye-to-eye electronic
34.4 media while maintaining visual contact; or

34.5 (2) ~~in-person~~ group supervision provided in person, by telephone, or via eye-to-eye
34.6 electronic media while maintaining visual contact.

34.7 (c) ~~To qualify as in-person~~ Group supervision, ~~the group~~ must not exceed ~~seven members~~
34.8 ~~including the supervisor~~ six supervisees.

34.9 (d) Supervision must not be provided by email.

34.10 **EFFECTIVE DATE.** This section is effective October 1, 2024.

34.11 Sec. 4. Minnesota Statutes 2022, section 148D.062, subdivision 4, is amended to read:

34.12 Subd. 4. **Supervisor requirements.** (a) The supervision required by subdivision 1 must
34.13 be provided by a supervisor who meets the requirements in section 148E.120 and has ~~either:~~

34.14 ~~(1) 5,000 hours experience engaged in authorized social work practice; or~~

34.15 ~~(2)~~ completed 30 hours of training in supervision, which may be satisfied by completing
34.16 academic coursework in supervision or continuing education courses in supervision as
34.17 defined in section 148E.010, subdivision 18.

34.18 (b) Supervision must be provided:

34.19 (1) if the supervisee is not engaged in clinical practice and the supervisee has a provisional
34.20 license to practice as a licensed social worker, by:

34.21 (i) a licensed social worker who has completed the supervised practice requirements;

34.22 (ii) a licensed graduate social worker who has completed the supervised practice
34.23 requirements;

34.24 (iii) a licensed independent social worker; or

34.25 (iv) a licensed independent clinical social worker;

34.26 (2) if the supervisee is not engaged in clinical practice and the supervisee has a provisional
34.27 license to practice as a licensed graduate social worker, licensed independent social worker,
34.28 or licensed independent clinical social worker, by:

34.29 (i) a licensed graduate social worker who has completed the supervised practice
34.30 requirements;

35.1 (ii) a licensed independent social worker; or

35.2 (iii) a licensed independent clinical social worker;

35.3 (3) if the supervisee is engaged in clinical practice and the supervisee has a provisional
35.4 license to practice as a licensed graduate social worker, licensed independent social worker,
35.5 or licensed independent clinical social worker, by a licensed independent clinical social
35.6 worker; or

35.7 (4) by a supervisor who meets the requirements in section 148E.120, subdivision 2.

35.8 **EFFECTIVE DATE.** This section is effective October 1, 2024.

35.9 Sec. 5. Minnesota Statutes 2022, section 148D.063, subdivision 1, is amended to read:

35.10 Subdivision 1. **Supervision plan.** (a) An applicant granted a provisional license must
35.11 submit, on a form provided by the board, a supervision plan for meeting the supervision
35.12 requirements in section 148D.062.

35.13 (b) The supervision plan must be submitted no later than 30 days after the licensee begins
35.14 a social work practice position.

35.15 ~~(e) The board may revoke a licensee's provisional license for failure to submit the~~
35.16 ~~supervision plan within 30 days after beginning a social work practice position.~~

35.17 ~~(d)~~ (c) The supervision plan must include the following:

35.18 (1) the name of the supervisee, the name of the agency in which the supervisee is being
35.19 supervised, and the supervisee's position title;

35.20 (2) the name and qualifications of the person providing the supervision;

35.21 (3) the number of hours of one-on-one ~~in-person~~ supervision and the number and type
35.22 of additional hours of supervision to be completed by the supervisee;

35.23 (4) the supervisee's position description;

35.24 (5) a brief description of the supervision the supervisee will receive in the following
35.25 content areas:

35.26 (i) clinical practice, if applicable;

35.27 (ii) development of professional social work knowledge, skills, and values;

35.28 (iii) practice methods;

35.29 (iv) authorized scope of practice;

- 36.1 (v) ensuring continuing competence; and
- 36.2 (vi) ethical standards of practice; and
- 36.3 (6) if applicable, a detailed description of the supervisee's clinical social work practice,
- 36.4 addressing:
- 36.5 (i) the client population, the range of presenting issues, and the diagnoses;
- 36.6 (ii) the clinical modalities that were utilized; and
- 36.7 (iii) the process utilized for determining clinical diagnoses, including the diagnostic
- 36.8 instruments used and the role of the supervisee in the diagnostic process.
- 36.9 ~~(e)~~ (d) The board must receive a revised supervision plan within 30 days of any of the
- 36.10 following changes:
- 36.11 (1) the supervisee has a new supervisor;
- 36.12 (2) the supervisee begins a new social work position;
- 36.13 (3) the scope or content of the supervisee's social work practice changes substantially;
- 36.14 (4) the number of practice or supervision hours changes substantially; or
- 36.15 (5) the type of supervision changes as supervision is described in section 148D.062.
- 36.16 ~~(f) The board may revoke a licensee's provisional license for failure to submit a revised~~
- 36.17 ~~supervision plan as required in paragraph (e).~~
- 36.18 ~~(g)~~ (e) The board must approve the supervisor and the supervision plan.
- 36.19 **EFFECTIVE DATE.** This section is effective October 1, 2024.

36.20 Sec. 6. Minnesota Statutes 2022, section 148D.063, subdivision 2, is amended to read:

36.21 Subd. 2. **Evaluation.** (a) When a licensee's supervisor submits an evaluation to the board

36.22 according to section 148D.061, subdivision 6, the supervisee and supervisor must provide

36.23 the following information on a form provided by the board:

- 36.24 (1) the name of the supervisee, the name of the agency in which the supervisee is being
- 36.25 supervised, and the supervisee's position title;
- 36.26 (2) the name and qualifications of the supervisor;
- 36.27 (3) the number of hours and dates of each type of supervision completed;
- 36.28 (4) the supervisee's position description;

37.1 (5) a declaration that the supervisee has not engaged in conduct in violation of the
37.2 standards of practice in sections 148E.195 to 148E.240;

37.3 (6) a declaration that the supervisee has practiced competently and ethically according
37.4 to professional social work knowledge, skills, and values; and

37.5 (7) on a form provided by the board, an evaluation of the licensee's practice in the
37.6 following areas:

37.7 (i) development of professional social work knowledge, skills, and values;

37.8 (ii) practice methods;

37.9 (iii) authorized scope of practice;

37.10 ~~(iv) ensuring continuing competence;~~

37.11 ~~(v)~~ (iv) ethical standards of practice; and

37.12 ~~(vi)~~ (v) clinical practice, if applicable.

37.13 (b) The supervisor must attest to the satisfaction of the board that the supervisee has met
37.14 or has made progress on meeting the applicable supervised practice requirements.

37.15 **EFFECTIVE DATE.** This section is effective October 1, 2024.

37.16 Sec. 7. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
37.17 to read:

37.18 **Subd. 2b. Qualifications for licensure by completion of provisional license**
37.19 **requirements as a licensed social worker (LSW).** To be licensed as a licensed social
37.20 worker, an applicant for licensure by completion of provisional license requirements must
37.21 provide evidence satisfactory to the board that the applicant:

37.22 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

37.23 (2) continues to meet the requirements of subdivision 2, clauses (1) and (3) to (6).

37.24 **EFFECTIVE DATE.** This section is effective October 1, 2024.

37.25 Sec. 8. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
37.26 to read:

37.27 **Subd. 3b. Qualifications for licensure by completion of provisional license**
37.28 **requirements as a licensed graduate social worker (LGSW).** To be licensed as a licensed

38.1 graduate social worker, an applicant for licensure by completion of provisional license
38.2 requirements must provide evidence satisfactory to the board that the applicant:

38.3 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

38.4 (2) continues to meet the requirements of subdivision 3, clauses (1) and (3) to (6).

38.5 **EFFECTIVE DATE.** This section is effective October 1, 2024.

38.6 Sec. 9. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
38.7 to read:

38.8 Subd. 4b. **Qualifications for licensure by completion of provisional license**

38.9 **requirements as a licensed independent social worker (LISW).** To be licensed as a

38.10 licensed independent social worker, an applicant for licensure by completion of provisional

38.11 license requirements must provide evidence satisfactory to the board that the applicant:

38.12 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

38.13 (2) continues to meet the requirements of subdivision 4, clauses (1), (2), and (4) to (7).

38.14 **EFFECTIVE DATE.** This section is effective October 1, 2024.

38.15 Sec. 10. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
38.16 to read:

38.17 Subd. 5b. **Qualifications for licensure by completion of provisional license**

38.18 **requirements as a licensed independent clinical social worker (LICSW).** To be licensed

38.19 as a licensed independent clinical social worker, an applicant for licensure by completion

38.20 of provisional license requirements must provide evidence satisfactory to the board that the

38.21 applicant:

38.22 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

38.23 (2) continues to meet the requirements of subdivision 5, paragraph (a), clauses (1) to (3)

38.24 and (5) to (8).

38.25 **EFFECTIVE DATE.** This section is effective October 1, 2024.

38.26 Sec. 11. **REVISOR INSTRUCTION.**

38.27 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column

38.28 A with the number listed in column B. The revisor shall also make necessary cross-reference

38.29 changes in Minnesota Statutes and Minnesota Rules consistent with the renumbering.

	<u>Column A</u>	<u>Column B</u>
39.1		
39.2	<u>148D.061</u>	<u>148E.0551</u>
39.3	<u>148D.062</u>	<u>148E.116</u>
39.4	<u>148D.063</u>	<u>148E.126</u>

39.5 **EFFECTIVE DATE.** This section is effective October 1, 2024.

39.6 Sec. 12. **REPEALER.**

39.7 Minnesota Statutes 2022, section 148D.061, subdivision 9, is repealed.

39.8 **EFFECTIVE DATE.** This section is effective October 1, 2024.

39.9 **ARTICLE 7**

39.10 **BOARD OF MARRIAGE AND FAMILY THERAPY**

39.11 Section 1. **[148B.331] GUEST LICENSURE.**

39.12 Subdivision 1. **Generally.** (a) A nonresident of the state of Minnesota who is not seeking
 39.13 licensure in Minnesota and intends to practice in Minnesota must apply to the board for
 39.14 guest licensure. An applicant must apply for guest licensure at least 30 days prior to the
 39.15 expected date of practice in Minnesota and is subject to approval by the board or its designee.

39.16 (b) To be eligible for licensure under this section, the applicant must:

39.17 (1) have a license, certification, or registration in good standing to practice marriage and
 39.18 family therapy from another jurisdiction;

39.19 (2) have a graduate degree in marriage and family therapy from a regionally accredited
 39.20 institution or a degree in a related field from a regionally accredited institution with completed
 39.21 coursework meeting the educational requirements provided in Minnesota Rules, part
 39.22 5300.0140, subpart 2;

39.23 (3) be of good moral character;

39.24 (4) have no pending complaints or active disciplinary or corrective actions in any
 39.25 jurisdiction;

39.26 (5) submit the required fee and complete the criminal background check according to
 39.27 section 214.075; and

39.28 (6) pay a fee to the board in the amount set forth in section 148B.392.

39.29 (c) A license issued under this section is valid for one year from the date of issuance
 39.30 and allows practice by the nonresident for a maximum of five months. The months in which

40.1 the nonresident may practice under the license must be consecutive. A guest license is not
40.2 renewable, but the nonresident may reapply for guest licensure, subject to continued eligibility
40.3 under paragraph (b), following expiration of a guest license.

40.4 Subd. 2. **Other professional activity.** Notwithstanding subdivision 1, a nonresident of
40.5 the state of Minnesota who is not seeking licensure in Minnesota may serve as an expert
40.6 witness, organizational consultant, presenter, or educator without obtaining guest licensure,
40.7 provided the nonresident is appropriately trained, educated, or has been issued a license,
40.8 certificate, or registration by another jurisdiction.

40.9 Subd. 3. **Prohibitions and sanctions.** A person's privilege to practice under this section
40.10 is subject to the prohibitions and sanctions for unprofessional or unethical conduct contained
40.11 in Minnesota laws and rules for marriage and family therapy under this chapter.

40.12 Sec. 2. Minnesota Statutes 2023 Supplement, section 148B.392, subdivision 2, is amended
40.13 to read:

40.14 Subd. 2. **Licensure and application fees.** Licensure and application fees established
40.15 by the board shall not exceed the following amounts:

40.16 (1) application fee for national examination is \$150;

40.17 (2) application fee for Licensed Marriage and Family Therapist (LMFT) ~~state examination~~
40.18 license is \$150;

40.19 (3) initial LMFT license fee is prorated, but cannot exceed \$225;

40.20 (4) annual renewal fee for LMFT license is \$225;

40.21 (5) late fee for LMFT license renewal is \$100;

40.22 (6) application fee for LMFT licensure by reciprocity is \$300;

40.23 (7) application fee for ~~initial~~ Licensed Associate Marriage and Family Therapist (LAMFT)
40.24 license is \$100;

40.25 (8) annual renewal fee for LAMFT license is \$100;

40.26 (9) late fee for LAMFT license renewal is \$50;

40.27 (10) fee for reinstatement of LMFT or LAMFT license is \$150;

40.28 (11) fee for LMFT emeritus license status is \$225; ~~and~~

40.29 (12) fee for temporary license for members of the military is \$100.; and

40.30 (13) fee for LMFT guest license is \$150.

ARTICLE 8

BOARD OF PHARMACY

41.1

41.2

41.3 Section 1. Minnesota Statutes 2022, section 151.065, is amended by adding a subdivision
41.4 to read:

41.5 Subd. 4a. **Application and fee; relocation.** A person who is registered with or licensed
41.6 by the board must submit a new application to the board before relocating the physical
41.7 location of the person's business. An application must be submitted for each affected license.
41.8 The application must set forth the proposed change of location on a form established by the
41.9 board. If the licensee or registrant remitted payment for the full amount during the state's
41.10 fiscal year, the relocation application fee is the same as the application fee in subdivision
41.11 1, except that the fees in clauses (6) to (9) and (11) to (16) are reduced by \$5,000 and the
41.12 fee in clause (16) is reduced by \$55,000. If the application is made within 60 days before
41.13 the date of the original license or registration expiration, the applicant must pay the full
41.14 application fee provided in subdivision 1. Upon approval of an application for a relocation,
41.15 the board shall issue a new license or registration.

41.16 Sec. 2. Minnesota Statutes 2022, section 151.065, is amended by adding a subdivision to
41.17 read:

41.18 Subd. 4b. **Application and fee; change of ownership.** A person who is registered with
41.19 or licensed by the board must submit a new application to the board before changing the
41.20 ownership of the licensee or registrant. An application must be submitted for each affected
41.21 license. The application must set forth the proposed change of ownership on a form
41.22 established by the board. If the licensee or registrant remitted payment for the full amount
41.23 during the state's fiscal year, the application fee is the same as the application fee in
41.24 subdivision 1, except that the fees in clauses (6) to (9) and (11) to (16) are reduced by \$5,000
41.25 and the fee in clause (16) is reduced by \$55,000. If the application is made within 60 days
41.26 before the date of the original license or registration expiration, the applicant must pay the
41.27 full application fee provided in subdivision 1. Upon approval of an application for a change
41.28 of ownership, the board shall issue a new license or registration.

41.29 Sec. 3. Minnesota Statutes 2022, section 151.065, is amended by adding a subdivision to
41.30 read:

41.31 Subd. 8. **Transfer of licenses.** Licenses and registrations granted by the board are not
41.32 transferable.

42.1 Sec. 4. Minnesota Statutes 2022, section 151.066, subdivision 1, is amended to read:

42.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
42.3 the meanings given to them in this subdivision.

42.4 (b) "Manufacturer" means a manufacturer licensed under section 151.252 ~~that is engaged~~
42.5 ~~in the manufacturing of an opiate~~, excluding those exclusively licensed to manufacture
42.6 medical gas.

42.7 (c) "Opiate" means any opiate-containing controlled substance listed in section 152.02,
42.8 subdivisions 3 to 5, that is distributed, delivered, sold, or dispensed into or within this state.

42.9 (d) "Third-party logistics provider" means a third-party logistics provider licensed under
42.10 section 151.471.

42.11 (e) "Wholesaler" means a wholesale drug distributor licensed under section 151.47 that
42.12 ~~is engaged in the wholesale drug distribution of an opiate~~, excluding those exclusively
42.13 licensed to distribute medical gas.

42.14 Sec. 5. Minnesota Statutes 2022, section 151.066, subdivision 2, is amended to read:

42.15 Subd. 2. **Reporting requirements.** (a) By March 1 of each year, beginning March 1,
42.16 2020, each manufacturer and each wholesaler must report to the board every sale, delivery,
42.17 or other distribution within or into this state of any opiate that is made to any practitioner,
42.18 pharmacy, hospital, veterinary hospital, or other person who is permitted by section 151.37
42.19 to possess controlled substances for administration or dispensing to patients that occurred
42.20 during the previous calendar year. Reporting must be in the automation of reports and
42.21 consolidated orders system format unless otherwise specified by the board. If no reportable
42.22 distributions occurred for a given year, notification must be provided to the board in a
42.23 manner specified by the board. If a manufacturer or wholesaler fails to provide information
42.24 required under this paragraph on a timely basis, the board may assess an administrative
42.25 penalty of \$500 per day. This penalty shall not be considered a form of disciplinary action.

42.26 (b) By March 1 of each year, beginning March 1, 2020, each owner of a pharmacy with
42.27 at least one location within this state must report to the board any intracompany delivery
42.28 or distribution into this state, of any opiate, to the extent that those deliveries and distributions
42.29 are not reported to the board by a licensed wholesaler owned by, under contract to, or
42.30 otherwise operating on behalf of the owner of the pharmacy. Reporting must be in the
42.31 manner and format specified by the board for deliveries and distributions that occurred
42.32 during the previous calendar year. The report must include the name of the manufacturer

43.1 or wholesaler from which the owner of the pharmacy ultimately purchased the opiate, and
43.2 the amount and date that the purchase occurred.

43.3 (c) By March 1 of each year, beginning March 1, 2025, each third-party logistics provider
43.4 must report to the board any delivery or distribution into this state of any opiate, to the
43.5 extent that those deliveries and distributions are not reported to the board by a licensed
43.6 wholesaler or manufacturer. Reporting must be in the manner and format specified by the
43.7 board for deliveries and distributions that occurred during the previous calendar year.

43.8 Sec. 6. Minnesota Statutes 2022, section 151.066, subdivision 3, is amended to read:

43.9 **Subd. 3. Determination of an opiate product registration fee.** (a) The board shall
43.10 annually assess an opiate product registration fee on any manufacturer of an opiate that
43.11 annually sells, delivers, or distributes an opiate within or into the state in a quantity of
43.12 2,000,000 or more units as reported to the board under subdivision 2.

43.13 (b) For purposes of assessing the annual registration fee under this section and
43.14 determining the number of opiate units a manufacturer sold, delivered, or distributed within
43.15 or into the state, the board shall not consider any opiate that is used for substance use disorder
43.16 treatment with medications for opioid use disorder.

43.17 (c) The annual registration fee for each manufacturer meeting the requirement under
43.18 paragraph (a) is \$250,000.

43.19 (d) In conjunction with the data reported under this section, and notwithstanding section
43.20 152.126, subdivision 6, the board may use the data reported under section 152.126,
43.21 subdivision 4, to determine which manufacturers meet the requirement under paragraph (a)
43.22 and are required to pay the registration fees under this subdivision.

43.23 (e) By April 1 of each year, beginning April 1, 2020, the board shall notify a manufacturer
43.24 that the manufacturer meets the requirement in paragraph (a) and is required to pay the
43.25 annual registration fee in accordance with section 151.252, subdivision 1, paragraph (b).

43.26 (f) A manufacturer may dispute the board's determination that the manufacturer must
43.27 pay the registration fee no later than 30 days after the date of notification. However, the
43.28 manufacturer must still remit the fee as required by section 151.252, subdivision 1, paragraph
43.29 (b). The dispute must be filed with the board in the manner and using the forms specified
43.30 by the board. A manufacturer must submit, with the required forms, data satisfactory to the
43.31 board that demonstrates that the assessment of the registration fee was incorrect. The board
43.32 must make a decision concerning a dispute no later than 60 days after receiving the required

44.1 dispute forms. If the board determines that the manufacturer has satisfactorily demonstrated
44.2 that the fee was incorrectly assessed, the board must refund the amount paid in error.

44.3 (g) For purposes of this subdivision, a unit means the individual dosage form of the
44.4 particular drug product that is prescribed to the patient. One unit equals one tablet, capsule,
44.5 patch, syringe, milliliter, or gram.

44.6 (h) For the purposes of this subdivision, an opiate's units will be assigned to the
44.7 manufacturer holding the New Drug Application (NDA) or Abbreviated New Drug
44.8 Application (ANDA), as listed by the United States Food and Drug Administration.

44.9 ARTICLE 9

44.10 APPROPRIATIONS

44.11 Section 1. DEPARTMENT OF HEALTH; TRANSFER CARE SPECIALISTS.

44.12 \$247,000 in fiscal year 2025 is appropriated from the state government special revenue
44.13 fund to the commissioner of health to implement Minnesota Statutes, section 149A.47. The
44.14 state government special revenue fund base for this appropriation is \$111,000 in fiscal year
44.15 2026 and \$111,000 in fiscal year 2027.

44.16 Sec. 2. BOARD OF PSYCHOLOGY; LICENSED BEHAVIOR ANALYSTS.

44.17 \$95,000 in fiscal year 2025 is appropriated from the state government special revenue
44.18 fund to the Board of Psychology to implement Minnesota Statutes, sections 148.9981 to
44.19 148.9995. The state government special revenue fund base for this appropriation is \$48,000
44.20 in fiscal year 2026 and \$48,000 in fiscal year 2027.

44.21 Sec. 3. BOARD OF VETERINARY MEDICINE; VETERINARY TECHNICIAN 44.22 REGULATION.

44.23 \$23,000 in fiscal year 2025 is appropriated from the state government special revenue
44.24 fund to the Board of Veterinary Medicine to implement Minnesota Statutes, section 156.077.
44.25 The state government special revenue fund base for this appropriation is \$52,000 in fiscal
44.26 year 2026 and \$52,000 in fiscal year 2027.

44.27 Sec. 4. BOARD OF DENTISTRY; DENTAL ASSISTANT LICENSURE BY 44.28 CREDENTIALS.

44.29 \$2,000 in fiscal year 2025 is appropriated from the state government special revenue
44.30 fund to the Board of Dentistry to implement Minnesota Statutes, section 150A.06, subdivision

45.1 8. The state government special revenue fund base for this appropriation is \$3,000 in fiscal
45.2 year 2026 and \$5,000 in fiscal year 2027.

45.3 Sec. 5. **BOARD OF SOCIAL WORK; PROVISIONAL LICENSURE.**

45.4 \$133,000 in fiscal year 2025 is appropriated from the state government special revenue
45.5 fund to the Board of Social Work to implement modifications to provisional licensure under
45.6 Minnesota Statutes, chapters 148D and 148E. The state government special revenue fund
45.7 base for this appropriation is \$80,000 in fiscal year 2026 and \$80,000 in fiscal year 2027.

45.8 Sec. 6. **BOARD OF MARRIAGE AND FAMILY THERAPY; GUEST LICENSURE.**

45.9 \$22,000 in fiscal year 2026 is appropriated from the state government special revenue
45.10 fund to the Board of Marriage and Family Therapy to implement Minnesota Statutes, section
45.11 148B.331. The state government special revenue fund base for this appropriation is \$47,000
45.12 in fiscal year 2026 and \$47,000 in fiscal year 2027."

45.13 Amend the title accordingly