

1.1 ..... moves to amend H.F. No. 2555, the fourth engrossment, as follows:

1.2 Page 5, line 5, after the period insert "The commissioner, in consultation with the  
1.3 commissioner of Management and Budget and small agencies, shall evaluate small  
1.4 agencies' needs for administrative support services. If the commissioner provides  
1.5 administrative support services to a small agency, the commissioner must enter into a  
1.6 service level agreement with the agency, specifying the services to be provided and the  
1.7 costs and anticipated outcomes of the services."

1.8 Page 5, line 7, delete "the Capitol Area"

1.9 Page 5, line 8, delete "Architectural and Planning Board, the Amateur Sports  
1.10 Commission,"

1.11 Page 5, delete lines 10 to 12 and insert:

1.12 "(c) The commissioner of administration may assess agencies for services it provides  
1.13 under this section. The amounts assessed are appropriated to the commissioner."

1.14 Page 5, line 15, after the period, insert "The agencies served retain the ownership  
1.15 and responsibility for spending decisions and for ongoing implementation of appropriate  
1.16 business operations."

1.17 Page 8, delete sections 17 and 18, and insert:

1.18 "Sec. 17. Minnesota Statutes 2010, section 214.06, subdivision 1, is amended to read:

1.19 Subdivision 1. ~~Fee adjustment~~ **Fees to recover expenditures.** ~~Notwithstanding~~  
1.20 ~~any law to the contrary, the commissioner of health as authorized by section 214.13, all~~  
1.21 ~~health-related licensing boards and all non-health-related licensing boards shall by rule,~~  
1.22 ~~with the approval of the commissioner of management and budget, adjust, as needed,~~  
1.23 ~~any fee which the commissioner of health or the board is empowered to assess. The~~  
1.24 commissioner of health as authorized by section 214.13 and all health-related licensing  
1.25 boards and non-health-related licensing boards shall propose or adjust any fee according  
1.26 to section 16A.1283. As provided in section 16A.1285, the ~~adjustment~~ fees shall be  
1.27 an amount sufficient so that the total fees collected by each board will be based on

2.1 anticipated expenditures, including expenditures for the programs authorized by sections  
2.2 214.10, 214.103, 214.11, 214.17 to 214.24, 214.28 to 214.37, and 214.40, except that a  
2.3 health-related licensing board may have anticipated expenditures in excess of anticipated  
2.4 revenues in a biennium by using accumulated surplus revenues from fees collected by  
2.5 that board in previous bienniums. A health-related licensing board may accumulate up  
2.6 to six months of operating funds, and then must reduce fees. A health-related licensing  
2.7 board shall not spend more money than the amount appropriated by the legislature  
2.8 for a biennium. For members of an occupation registered after July 1, 1984, by the  
2.9 commissioner of health under the provisions of section 214.13, the fee established must  
2.10 include an amount necessary to recover, over a five-year period, the commissioner's  
2.11 direct expenditures for adoption of the rules providing for registration of members of the  
2.12 occupation. All fees received shall be deposited in the state treasury.

2.13 Sec. 18. Minnesota Statutes 2010, section 214.06, subdivision 1a, is amended to read:

2.14 Subd. 1a. **Health occupations licensing account.** (a) Fees received by the  
2.15 commissioner of health or health-related licensing boards must be credited to the health  
2.16 occupations licensing account in the state government special revenue fund. The  
2.17 commissioner of management and budget shall ensure that the revenues and expenditures  
2.18 of each health-related licensing board are tracked separately in the health occupations  
2.19 licensing account.

2.20 (b) The fees collected must be used only by the boards identified in section  
2.21 214.01, subdivision 2, and the commissioner of health, as the regulator for occupational  
2.22 therapy practitioners, speech-language pathologists, audiologists, and hearing instrument  
2.23 dispensers, and only for the purposes of the programs they administer. The legislature  
2.24 must not transfer money generated by these fees from the state government special  
2.25 revenue fund to the general fund."

2.26 Page 9, delete sections 20 and 21 and insert:

2.27 "Sec. 20. **[214.072] HEALTH-RELATED LICENSING BOARDS; WEB SITE.**

2.28 (a) Each health-related licensing board, as defined in section 214.01, subdivision 2,  
2.29 and the commissioner of health, as the regulator for occupational therapy practitioners,  
2.30 speech-language pathologists, audiologists, and hearing instrument dispensers, are  
2.31 required to post on its public Web site the name and business address of each regulated  
2.32 individual who has:

2.33 (1) a conviction during the previous ten years of a felony or gross misdemeanor.  
2.34 Conviction includes a conviction of an offense that if committed in this state would be  
2.35 considered a felony or gross misdemeanor without regard to its designation elsewhere,

3.1 or a criminal proceeding where a finding or verdict of guilt is made or returned but the  
3.2 adjudication of guilt is either withheld or not entered;

3.3 (2) a malpractice judgment entered against the regulated individual in any state  
3.4 or jurisdiction within the past ten years and malpractice settlements entered against  
3.5 the regulated individual in any state or jurisdiction if there have been more than three  
3.6 within the past ten years. Information describing the judgments and settlements shall be  
3.7 developed by the boards, shall be stated in plain English, and shall ensure the public  
3.8 understands the context of the action involving the licensee; or

3.9 (3) any disciplinary or corrective action or restriction of privileges taken against the  
3.10 individual's license by a licensing board in this state or in any other state or jurisdiction.  
3.11 The Web site shall identify the basis for disciplinary action, the type of disciplinary action  
3.12 taken, and whether the action was taken by a licensing board in this or another state or  
3.13 the federal government.

3.14 (b) Each board and the commissioner of health must post in-state information  
3.15 required in paragraph (a) no later than January 1, 2013. Information from other states and  
3.16 jurisdictions must be posted no later than July 1, 2013.

3.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.18 Sec. 21. **[214.073] HEALTH-RELATED LICENSING BOARDS; AUTHORITY.**

3.19 (a) Each health-related licensing board, as defined in section 214.01, subdivision 2,  
3.20 and the commissioner of health, as the regulator for occupational therapy practitioners,  
3.21 speech-language pathologists, audiologists, and hearing instrument dispensers, shall  
3.22 require an applicant on or after August 1, 2012, to provide the individual's primary  
3.23 business address at the time of initial application and all subsequent renewals.

3.24 (b) Each health-related licensing board, as defined in section 214.01, subdivision 2,  
3.25 and the commissioner of health, as the regulator for occupational therapy practitioners,  
3.26 speech-language pathologists, audiologists, and hearing instrument dispensers, shall have  
3.27 the authority to conduct criminal background checks on all applicants, at the expense of  
3.28 the individual. The boards and the commissioner shall establish a protocol for conducting  
3.29 criminal background checks no later than January 1, 2013. This protocol must be effective  
3.30 January 1, 2014, and require the applicant to:

3.31 (1) submit a full set of fingerprints to the board or its designee in a form and manner  
3.32 specified by the board; and

3.33 (2) provide consent authorizing the board to obtain the individual's state and national  
3.34 criminal history record information for the purpose of determining the individual's  
3.35 suitability for a receiving a credential to practice.

4.1 (c) The health-related licensing boards and the commissioner of health shall study  
 4.2 the value of implementing a requirement for criminal background checks for existing  
 4.3 regulated individuals, how to utilize criminal background checks that have already been  
 4.4 performed on these individuals, and how to implement any new requirements in the most  
 4.5 cost effective way possible.

4.6 (d) Each health-related licensing board, as defined in section 214.01, subdivision 2,  
 4.7 and the commissioner of health, as the regulator for occupational therapy practitioners,  
 4.8 speech-language pathologists, audiologists, and hearing instrument dispensers, shall  
 4.9 submit legislation for consideration in 2013 to require institutions, professional societies,  
 4.10 other licensed professionals, and insurers and other entities to report conduct constituting  
 4.11 grounds for disciplinary action to the respective regulatory entity. Each board and the  
 4.12 commissioner must include penalties that may be imposed for failure to report. Boards  
 4.13 with reporting obligations in statutes are exempt from this paragraph.

4.14 **EFFECTIVE DATE.** This section is effective the day following final enactment."

4.15 Page 11, line 20, delete everything before "shall" and insert "(a) The commissioner  
 4.16 of health shall contract with Management and Analysis Development at Minnesota  
 4.17 Management and Budget to"

4.18 Page 12, line 5, after the period insert "The cost of the contract under paragraph (a)  
 4.19 must be paid from the operating funds of the Board of Medical Practice."

4.20 Page 12, delete section 29

4.21 Page 13, after line 17, insert:

4.22 "Sec. 30. **APPROPRIATION.**

4.23 \$127,000 is appropriated to the Legislative Coordinating Commission from the  
 4.24 general fund for the fiscal year ending June 30, 2013, to provide staff services or to enter  
 4.25 into contracts to assist the Sunset Advisory Commission. The general fund budget base  
 4.26 for the Legislative Coordinating Commission, as established in Laws 2011, First Special  
 4.27 Session chapter 10, article 1, section 2, and as increased by the appropriation in this  
 4.28 section, is increased by an additional \$33,000 per year."

4.29 Renumber the sections in sequence and correct the internal references

4.30 Amend the title accordingly