

Subject Transfer care specialists

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Overview

This bill authorizes transfer care specialists who are registered with the commissioner of health to remove and transport dead human bodies from the place of death to a licensed funeral establishment. It also provides for registration of transfer care specialists by the commissioner of health.

Summary

Section	Description
1	Exceptions to licensure. Amends § 149A.01, subd. 3. Adds transfer care specialists to the list of individuals not required to be licensed under chapter 149A to perform functions under that chapter, provided the transfer care specialist is registered according to section 149A.47.
2	Direct supervision. Amends § 149A.02, subd. 13a. Amends the definition of direct supervision to: include transfer care specialists as subject to direct supervision; clarify the supervising mortician must be physically present or available by telephone to advise individuals being supervised; and specify the supervising mortician is accountable for any violation of law or rule by the transfer care specialist.
3	Transfer care specialist. Adds subd. 37d to § 149A.02. Defines transfer care specialist as an individual registered with the commissioner of health under section 149A.47 (a new section establishing registration requirements for transfer care specialists) and authorized to remove dead human bodies from the place of death under the direct supervision of a licensed mortician.
4	Duties of commissioner. Amends § 149A.03. Amends the duties of the commissioner of health related to mortuary science, to include registering transfer care specialists.

Section	Description
5	<p>Denial; refusal to reissue; revocation; suspension; limitation of license, registration, or permit.</p> <p>Amends § 149A.09. Amends a section governing the commissioner’s authority to take action against mortuary science licenses and permits, to also allow the commissioner to take action against mortuary science registrations. Adds acts related to registration and qualifications for registration to the grounds for disciplinary action, and provides a right to a hearing before the commissioner takes action against a registration. Allows the commissioner to restore a registration in certain circumstances.</p>
6	<p>Publication of disciplinary actions.</p> <p>Amends § 149A.11. Requires the commissioner to publish disciplinary actions taken against transfer care specialists, in addition to disciplinary actions taken against licensees and interns as in current law.</p>
7	<p>Transfer care specialist.</p> <p>Adds § 149A.47. Authorizes transfer care specialists to remove dead human bodies from the place of death, and establishes requirements for registration and registration renewal.</p> <p>Subd. 1. General. Allows a transfer care specialist to remove a dead human body from the place of death if registered with the commissioner, and prohibits a transfer care specialist from practicing mortuary science except as provided in this section.</p> <p>Subd. 2. Registration. Lists items an applicant must submit to the commissioner for registration. Provides registrations are valid from January 1 to December 31.</p> <p>Subd. 3. Duties. Allows a transfer care specialist to remove dead human bodies from the place of death to a licensed funeral establishment, and requires a transfer care specialist to comply with universal precautions and to work under direct supervision of a licensed mortician. Allows a licensed mortician to supervise up to six transfer care specialists at once, and provides the supervising mortician is responsible for the work performed by the mortician’s supervisees.</p> <p>Subd. 4. Training program. Requires a transfer care specialist to complete a training program that is at least seven hours long and covers the listed topics. Requires a training program to be completed every five years.</p> <p>Subd. 5. Renewal. Requires a registration to be renewed to remain valid, and lists items that must be submitted to renew a registration.</p>

Section	Description
8	Prohibited conduct. Amends § 149A.60. Allows the commissioner to take disciplinary action if a person fails to comply with registration requirements (current law allows the commissioner to take disciplinary action if a person fails to comply with laws, rules, orders, agreements, licenses, and permits).
9	Licensees, interns, and transfer care specialists. Amends § 149A.61, subd. 4. Adds transfer care specialists to the individuals and entities permitted to report to the commissioner any act that is a ground for disciplinary action under chapter 149A.
10	Courts. Amends § 149A.61, subd. 5. Requires court administrators to report to the commissioner: any determination that a transfer care specialist is mentally ill, mentally incompetent, or guilty of a crime; appointment of a guardian or conservator for a transfer care specialist; or a civil commitment of a transfer care specialist.
11	Immunity; reporting. Amends § 149A.62. Extends immunity from civil liability or criminal prosecution to a transfer care specialist who reports to the commissioner, grounds for disciplinary action or violations of chapter 149A. Allows the commissioner to impose disciplinary action against a transfer care specialist who self-reports a violation.
12	Professional cooperation. Amends § 149A.63. Adds transfer care specialists to the list of individuals and entities required to cooperate with inspections and investigations by the commissioner or a designee.
13	Mortuary science fees. Amends § 149A.65, subd. 2. Establishes fees in blank amounts for registration and registration renewal of transfer care specialists.
14	Advertising. Amends § 149A.70, subd. 3. Adds transfer care specialists to the list of individuals and entities prohibited from publishing false, misleading, or deceptive advertising.
15	Solicitation of business. Amends § 149A.70, subd. 4. Adds transfer care specialists to the list of individuals and entities prohibited from paying for the business of disposing of a dead human body.

Section	Description
16	Reimbursement prohibited. Amends § 149A.70, subd. 5. Adds transfer care specialists to the list of individuals and entities prohibited from offering or accepting reimbursement for recommending or causing a dead human body to be disposed of by a specific program or establishment.
17	Unprofessional conduct. Amends § 149A.70, subd. 7. Adds transfer care specialists to the list of individuals and entities prohibited from engaging in unprofessional conduct.
18	Removal from place of death. Amends § 149A.90, subd. 2. Adds registered individuals to the individuals and entities authorized to remove or cause to be removed a dead human body from the place of death.
19	Certificate of removal. Amends § 149A.90, subd. 4. Adds transfer care specialists to the list of individuals who must complete a certificate of removal when removing a dead human body from the place of death.
20	Retention of certificate of removal. Amends § 149A.90, subd. 5. Amends a subdivision governing retention of certificates of removal, to require a transfer care specialist not employed by the funeral establishment to which the body was taken to retain a copy of the certificate at the transfer care specialist's business address for three years after the date of removal.



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