

House Research Act Summary

CHAPTER: 66

SESSION: 2003 Regular Session

TOPIC: Health Care Professional Boards Disciplinary Costs and Penalties

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Overview

This act modifies provisions allowing the boards of chiropractic examiners, dentistry, nursing home administrators, dietetics and nutrition, physical therapy, podiatry, pharmacy, veterinary medicine, and optometry to impose civil penalties and require reimbursement for the costs of investigations and proceedings resulting in disciplinary action.

Section

- 1** **Costs; penalties.** Proposes coding for new law § 144A.2511. If the board of examiners has initiated proceedings, allows the board to impose a civil penalty not exceeding \$10,000 for each separate violation. Requires the amount of the penalty to be fixed to deprive the nursing home administrator of any economic advantage gained by reason of the violation charged or to reimburse the board for the cost of the investigation and proceeding. Lists the costs that may be included in the investigation and proceeding.
- 2** **Reprimand; penalties; probation.** Amends § 148.10, subd. 3. Adds language requiring a civil penalty to be fixed so that the doctor of chiropractic will be deprived of any economic advantage gained by reason of the violation charged, to reimburse the board for the cost of the investigation and proceeding, or to discourage similar violations. Removes language requiring payment of all costs of proceedings resulting in the disciplinary action. Makes technical changes.
- 3** **Forms of disciplinary action.** Amends § 148.603. Lists the investigation and proceeding costs that may be reimbursed. Makes technical changes.
- 4** **Penalty.** Amends § 148.631. Allows the board to impose a civil penalty not exceeding \$10,000 for any licensed dietitian or nutritionist who has violated a licensing provision. Lists the investigation and proceeding costs that may be reimbursed.

Section

- 5** **Forms of disciplinary action.** Proposes coding for new law § 148.775. Establishes a list of disciplinary actions that may be taken if the board finds that a licensed physical therapist has violated a physical therapy licensure provision.
- 6** **Reinstatement.** Amends § 150A.08, subd. 3. Removes language requiring the licensee or registrant to pay all costs of proceedings resulting in the suspension or revocation of license or registration and reinstatement or new license. Removes language allowing the board to require a licensee or registrant who has been disciplined by the board in another manner to pay all costs of proceedings resulting in the disciplinary action.
- 7** **Costs; additional penalties.** Amends § 150A.08, by adding a subd. Adds language allowing the board to impose a civil penalty or other penalties.
- 8** **Costs; penalties.** Amends § 151.06, by adding a subd. Adds language allowing the board to impose a civil penalty not exceeding \$10,000 for each separate violation. Lists the investigation and proceeding costs that may be reimbursed.
- 9** **Forms of disciplinary action.** Amends § 153.22, subd. 1. Allows the board of podiatry to impose a civil penalty to discourage similar violations if the board finds that a podiatrist has violated a licensing provision. Lists the investigation and proceeding costs that may be reimbursed.
- 10** **Reinstatement costs; conditions on reinstated or new license.** Amends § 153.22, subd. 5. Allows any licensee whose license has been suspended or revoked to have the license reinstated or a new license issued. Allows the board to impose any disciplinary or corrective measure, other than suspension or revocation, that it might originally have imposed.
- 11** **Board action.** Amends § 156.127, subd. 1. Increases the administrative penalty from \$5,000 to \$10,000 the board of veterinary medicine may impose. Allows the administrative penalty to be fixed so as to reimburse the board for the cost of the investigation and proceeding. Lists the costs that may be reimbursed.
- 12** **Disciplinary action and reinstatement fee.** Amends § 156.127, subd. 3. Allows the board to impose any disciplinary action, cost, or penalty (listed in section 11) upon reinstating a regulated person's license or granting an applicant's license.