

# House Research Act Summary

**CHAPTER:** 271

**SESSION:** 2010 Regular Session

**TOPIC:** Rehabilitation consultants/public record and continuing education accessibility

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## Overview

Provides certification for rehabilitation counselors for the blind and requires accessibility of public records and certain continuing education or professional development offerings for disabled persons.

### Section

- 1 Certification/qualifications of rehabilitation counselors for the blind.** Bars any person from providing rehabilitation counseling services for the blind unless they are certified as a rehabilitation counselor by the director of State Services for the Blind. States that a rehabilitation counselor for the blind is not a mental health practitioner and sets forth the necessary education background for counselors including:
  - Successful completion of at least six weeks intensive training under supervision from an adjustment to blindness center set forth by State Services for the Blind; and
  - Completion of additional appropriate training as approved by the director of State Services for the Blind.Subjects counselors to continuing competency requirements.  
Requirements are effective January 1, 2011, for persons hired in rehabilitation counseling for the blind after that date.
- 2 Public records; accessibility.** Defines records to mean any recorded information collected, created, received, maintained, or disseminated by the executive, judicial, or legislative branches of the state, the Minnesota State Colleges and Universities (MNSCU), the University of Minnesota (U of M), cities, towns, counties, school districts, and all other political subdivisions of the state, regardless of physical form or method of storage.

Requires that records must be available to persons with disabilities in a manner consistent with state and federal laws prohibiting discrimination against persons with disabilities and that reasonable modification be made in policies, practices, and procedures that might otherwise deny equal access to records to persons with disabilities. Violations are subject to a penalty of \$500 per violation plus attorney fees and court costs. (Note: this language was modified in Chapter 347, Article 1, Section 22, to cap penalties and fees as well as the period during which action may be commenced, and to clarify that records means those that are requested and are publicly available. Language regarding technology upgrades or changes made prior to the effective date was also included.)

Effective January 1, 2013.

- 3 Continuing education; accessibility.** Requires that any continuing education or professional development course, offering, material or activity approved or administered by the state or political subdivisions, the U of M, or MNSCU be available to persons with disabilities in a manner consistent with state and federal laws prohibiting discrimination against persons with disabilities and requires that reasonable modifications be made in policies, practices and procedures that might deny access to persons with disabilities. Violations made subject to \$500 penalties plus attorney and court fees. (Note: this language was modified in Chapter 437, Article 1, Section 23, to clarify that access must be requested with a reasonable time period and to cap penalties and reasonable attorney fees.)

Effective January 1, 2013.