

HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies hearing and notice requirements for disciplinary action initiated by the health-related licensing boards. It allows nurses who are not licensed in Minnesota to provide continuing education or distance learning.

Section

- 1 **Exceptions.** Amends § 148.271. Allows nurses licensed in other states, but not in Minnesota, to provide continuing education, serve as a guest lecturer, present at conferences, and provide distance learning in Minnesota without having a Minnesota license.
- 2 **Temporary license suspension; imminent risk of serious harm.** Amends § 214.077.

Paragraph (a) requires a health-related licensing board to temporarily suspend a person's authority to practice if the person presents an imminent risk of serious harm. Requires the board to issue a temporary suspension order which takes effect upon personal service, or upon the third calendar day after the order is served by first class mail.

Paragraph (b) clarifies that the temporary suspension remains in effect until the investigation is completed, a contested case hearing is conducted, and a final order is issued.

Paragraph (c) requires the health-related licensing board to schedule a contested case hearing at the time the temporary suspension order is issued. Requires the board to provide the regulated person with at least ten days' notice of the hearing. Provides that the hearing must be scheduled to begin no later than 30 days after service of the order on the regulated person.

Paragraph (d) requires the administrative law judge (ALJ) to issue a report and recommendation no later than 30 days after the hearing, and requires the board to issue a final order no later than 30 day after receipt of the ALJ's report and recommendations.

Section

Provides that except as provided in paragraph (e), if the board does not issue its final order within 30 days, the temporary suspension shall be lifted.

Paragraph (e) allows the regulated person to request a delay in the proceedings for any reason.

- 3** **Investigation and hearing.** Amends § 214.10, subd. 2. Makes technical changes by striking the word “disciplinary” and inserting “contested case” to more accurately name the type of hearing that is conducted in response to complaints against a regulated person.
- 4** **Proceedings.** Amends § 214.10, subd. 2a. Strikes the conviction for receiving stolen property (Minn. Stat. § 609.52), from the list of offenses that require a board to initiate proceedings to suspend or revoke a license or refuse to renew a license of a regulated person.
- 5** **Duties of a participating board.** Amends § 214.32, subd. 6. Makes changes to conform to the amendments to section 214.077 in section 1.