

HOUSE RESEARCH

Bill Summary

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Overview

This bill makes policy changes to provisions governing the statewide trauma system (sections 1-2), home care licensure (sections 3-9), hearing instrument dispensers (sections 10-12), and food, beverage, and lodging establishments (sections 13-14).

Section

- 1** **Level IV designation.** Amends section 144.605, subdivision 5. Modifies the procedure for a hospital to be designated as a level IV trauma hospital, by adding a requirement that the commissioner arranges a site review visit before issuing the designation (instead of within three years of issuing the designation as in current law) and that the review team submits written recommendations to the Trauma Advisory Council. If the council then recommends the designation, the commissioner shall approve the designation.
- 2** **Trauma Advisory Council established.** Amends section 144.608, subdivision. 1. Modifies membership of the Trauma Advisory Council. Current law requires one member to be a certified pediatrician whose practice includes hospital emergency department care. This amendment requires the member to be either (1) a physician certified in pediatric emergency medicine and practicing primarily in emergency department medical care; or (2) a surgeon certified in pediatric surgery who practice involved the care of pediatric trauma patients in a trauma hospital.
- 3** **Temporary license.** Amends section 144A.473, subdivision 2. Modifies the length of time a temporary home care license is effective. Current law makes a temporary license effective for one year from the date of issuance. This amendment makes it effective for up to one year from the date of issuance.

Section

- 4 **Notice.** Amends section 144A.475, subdivision 3. Amends a subdivision allowing temporary suspension of a home care license, to allow the commissioner to temporarily suspend a license or prohibit delivery of services without providing notice and an opportunity for a contested care hearing if the commissioner determines there are level 3 or 4 violations that have resulted in or could result in serious injury, impairment, or death. (A level 3 violation is one that harms a client's health or safety, and a level 4 violation is one that results in serious injury, impairment, or death.) If the level 3 or 4 violations do not have the potential to result in serious injury, impairment, or death, the commissioner must comply with the notice and contested case requirements in that subdivision.
- 5 **Temporary suspension expedited hearing.** Amends section 144A.475, subdivision 3b. Specifies that the requirements for a temporary suspension expedited hearing apply when a home care provider appeals a temporary immediate suspension, not a temporary suspension. Requires a home care provider whose license is temporarily suspended to comply with requirements for notification and transfer of clients, even if the provider appeals the suspension.
- 6 **Temporary immediate suspension.** Adds subdivision 3c to section 144A.475. Allows the commissioner to issue a temporary immediate suspension of a home care provider's license if the commissioner finds level 3 or 4 violations. Requires the commissioner to deliver notice of the suspension, establishes procedures for appealing the suspension, and requires a provider whose license is temporarily suspended to comply with requirements for notification and transfer of clients, even if the provider appeals the suspension.
- 7 **Prescriptions.** Amends section 144A.4792, subdivision 13. In a subdivision requiring prescriptions for all medications a home care provider manages for a client, changes a cross-reference to the definition of prescription from a definition in rules to a definition in statutes. The definitions have some technical differences but are the same in content.
- 8 **Membership.** Amends section 144A.4799, subdivision 1. Changes the name of an advisory council from the home care provider advisory council to the home care and assisted living program advisory council.
- 9 **Registration of home management providers.** Amends section 144A.482. Removes a requirement that the commissioner must approve orientation sessions attended by individuals who provide home management services.
- 10 **Certification renewal notice.** Amends section 153A.14, subdivision 2d. Specifies that a renewal notice for certification as a hearing instrument dispenser must be mailed to the dispenser's last known address on record with the commissioner. Removes requirements that the renewal notice must contain a renewal application and a notice of required fees.
- 11 **Certification by examination.** Amends section 153A.14, subdivision 2h. Amends a subdivision establishing certification requirements for hearing instrument dispensers, to require the commissioner to administer the practical examination at least twice a year. Also prohibits an applicant from taking the practical examination more than three times in a two-year period.

Section

- 12** **Hearings.** Amends section 153A.15, subdivision 2a. In a subdivision establishing notice requirements before the commissioner may discipline a hearing instrument dispenser, permits notice to be provided personally or by certified mail, return receipt requested.
- 13** **Special event food stand.** Amends section 157.15, subdivision 14. In a chapter governing food, beverage, and lodging establishments, amends the definition of special event food stand by removing language that limited operation of the food stand to no more than three times a year. With this amendment, a special event food stand may operate for no more than ten total days.
- 14** **Posting requirements.** Amends section 157.16, subdivision 4. Requires a food and beverage service establishment, youth camp, hotel, motel, lodging establishment, public pool, or resort to post its original license (current law does not specify that the original license must be posted). Strikes language requiring mobile food units, food carts, and seasonal temporary food stands to be issued decals, and to post these decals.