

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3802

March 4, 2008

Authored by Ruud and Murphy, E.

The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to occupations and professions; adding an exception to the
1.3 complementary and alternative health care client bill of rights for in-patient
1.4 hospital setting and hospice care; amending Minnesota Statutes 2007
1.5 Supplement, section 146A.11, subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2007 Supplement, section 146A.11, subdivision 1,
1.8 is amended to read:

1.9 Subdivision 1. **Scope.** (a) All unlicensed complementary and alternative health
1.10 care practitioners shall provide to each complementary and alternative health care
1.11 client prior to providing treatment a written copy of the complementary and alternative
1.12 health care client bill of rights. A copy must also be posted in a prominent location
1.13 in the office of the unlicensed complementary and alternative health care practitioner.
1.14 Reasonable accommodations shall be made for those clients who cannot read or who
1.15 have communication impairments and those who do not read or speak English. The
1.16 complementary and alternative health care client bill of rights shall include the following:

1.17 (1) the name, complementary and alternative health care title, business address,
1.18 and telephone number of the unlicensed complementary and alternative health care
1.19 practitioner;

1.20 (2) the degrees, training, experience, or other qualifications of the practitioner
1.21 regarding the complimentary and alternative health care being provided, followed by the
1.22 following statement in bold print:

1.23 "THE STATE OF MINNESOTA HAS NOT ADOPTED ANY EDUCATIONAL
1.24 AND TRAINING STANDARDS FOR UNLICENSED COMPLEMENTARY AND

2.1 ALTERNATIVE HEALTH CARE PRACTITIONERS. THIS STATEMENT OF
2.2 CREDENTIALS IS FOR INFORMATION PURPOSES ONLY.

2.3 Under Minnesota law, an unlicensed complementary and alternative health care
2.4 practitioner may not provide a medical diagnosis or recommend discontinuance of
2.5 medically prescribed treatments. If a client desires a diagnosis from a licensed physician,
2.6 chiropractor, or acupuncture practitioner, or services from a physician, chiropractor, nurse,
2.7 osteopath, physical therapist, dietitian, nutritionist, acupuncture practitioner, athletic
2.8 trainer, or any other type of health care provider, the client may seek such services at
2.9 any time.";

2.10 (3) the name, business address, and telephone number of the practitioner's
2.11 supervisor, if any;

2.12 (4) notice that a complementary and alternative health care client has the right to
2.13 file a complaint with the practitioner's supervisor, if any, and the procedure for filing
2.14 complaints;

2.15 (5) the name, address, and telephone number of the office of unlicensed
2.16 complementary and alternative health care practice and notice that a client may file
2.17 complaints with the office;

2.18 (6) the practitioner's fees per unit of service, the practitioner's method of billing
2.19 for such fees, the names of any insurance companies that have agreed to reimburse the
2.20 practitioner, or health maintenance organizations with whom the practitioner contracts to
2.21 provide service, whether the practitioner accepts Medicare, medical assistance, or general
2.22 assistance medical care, and whether the practitioner is willing to accept partial payment,
2.23 or to waive payment, and in what circumstances;

2.24 (7) a statement that the client has a right to reasonable notice of changes in services
2.25 or charges;

2.26 (8) a brief summary, in plain language, of the theoretical approach used by the
2.27 practitioner in providing services to clients;

2.28 (9) notice that the client has a right to complete and current information concerning
2.29 the practitioner's assessment and recommended service that is to be provided, including
2.30 the expected duration of the service to be provided;

2.31 (10) a statement that clients may expect courteous treatment and to be free from
2.32 verbal, physical, or sexual abuse by the practitioner;

2.33 (11) a statement that client records and transactions with the practitioner are
2.34 confidential, unless release of these records is authorized in writing by the client, or
2.35 otherwise provided by law;

3.1 (12) a statement of the client's right to be allowed access to records and written
3.2 information from records in accordance with sections 144.291 to 144.298;

3.3 (13) a statement that other services may be available in the community, including
3.4 where information concerning services is available;

3.5 (14) a statement that the client has the right to choose freely among available
3.6 practitioners and to change practitioners after services have begun, within the limits of
3.7 health insurance, medical assistance, or other health programs;

3.8 (15) a statement that the client has a right to coordinated transfer when there will
3.9 be a change in the provider of services;

3.10 (16) a statement that the client may refuse services or treatment, unless otherwise
3.11 provided by law; and

3.12 (17) a statement that the client may assert the client's rights without retaliation.

3.13 (b) This section does not apply to an unlicensed complementary and alternative
3.14 health care practitioner providing services to a client in an in-patient hospital setting or
3.15 under an appropriate hospice plan of care.