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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1972

- 01/26/2012 Authored by Davids, Morrow, Brynaert, Howes, Abeler and others
Read First Time and Referred to the Committee on Health and Human Services Reform
- 03/15/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Health and Human Services Finance
- 03/21/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means
- 03/29/2012 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act
 1.2 relating to health; modifying guest license provisions for dentists, dental
 1.3 hygienists, and dental assistants; modifying the Board of Nursing Home
 1.4 Administrators' State Government Special Revenue Fund base; amending
 1.5 Minnesota Statutes 2010, section 150A.06, subdivision 2c; Laws 2011, First
 1.6 Special Session chapter 9, article 10, section 8, subdivision 8.

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

1.8 Section 1. Minnesota Statutes 2010, section 150A.06, subdivision 2c, is amended to
 1.9 read:

1.10 Subd. 2c. **Guest license.** (a) The board shall grant a guest license to practice as a
 1.11 dentist, dental hygienist, or licensed dental assistant if the following conditions are met:

1.12 (1) the dentist, dental hygienist, or dental assistant is currently licensed in good
 1.13 standing in ~~North Dakota, South Dakota, Iowa, or Wisconsin~~ another United States
 1.14 jurisdiction;

1.15 (2) the dentist, dental hygienist, or dental assistant is currently engaged in the
 1.16 practice of that person's respective profession in ~~North Dakota, South Dakota, Iowa, or~~
 1.17 ~~Wisconsin~~ another United States jurisdiction;

1.18 (3) the dentist, dental hygienist, or dental assistant will limit that person's practice to
 1.19 a public health setting in Minnesota that (i) is approved by the board; (ii) was established
 1.20 by a nonprofit organization that is tax exempt under chapter 501(c)(3) of the Internal
 1.21 Revenue Code of 1986; and (iii) provides dental care to patients who have difficulty
 1.22 accessing dental care;

1.23 (4) the dentist, dental hygienist, or dental assistant agrees to treat indigent patients
 1.24 who meet the eligibility criteria established by the clinic; and

2.1 (5) the dentist, dental hygienist, or dental assistant has applied to the board for a
2.2 guest license and has paid a nonrefundable license fee to the board not to exceed \$75.

2.3 (b) A guest license must be renewed annually with the board and an annual renewal
2.4 fee not to exceed \$75 must be paid to the board. Guest licenses expire annually at
2.5 midnight on December 31.

2.6 (c) A dentist, dental hygienist, or dental assistant practicing under a guest license
2.7 under this subdivision shall have the same obligations as a dentist, dental hygienist, or
2.8 dental assistant who is licensed in Minnesota and shall be subject to the laws and rules of
2.9 Minnesota and the regulatory authority of the board. If the board suspends or revokes the
2.10 guest license of, or otherwise disciplines, a dentist, dental hygienist, or dental assistant
2.11 practicing under this subdivision, the board shall promptly report such disciplinary action
2.12 to the dentist's, dental hygienist's, or dental assistant's regulatory board in the ~~border state~~
2.13 jurisdictions in which they are licensed.

2.14 (d) The board may grant a guest license to a dentist, dental hygienist, or dental
2.15 assistant licensed in another United States jurisdiction who will provide care to patients
2.16 on a voluntary basis without compensation for a limited period of time. The board may
2.17 assess a fee not to exceed \$25 for the guest license for volunteer services. The fee may
2.18 be paid by the applicant or the sponsoring organization. The board shall issue a guest
2.19 license for volunteer services license if:

2.20 (1) the board determines that the applicant's services will provide dental care to
2.21 patients who have difficulty accessing dental care;

2.22 (2) the care will be provided without compensation; and

2.23 (3) the applicant provides adequate proof of the status of all licenses to practice in
2.24 other jurisdictions. The board may require proof on an application form developed by
2.25 the board.

2.26 The guest license for volunteer services will limit the licensee to providing dental
2.27 care services for a period of time not to exceed ten days in a calendar year. Guest licenses
2.28 expire annually at midnight on December 31.

2.29 The holder of a guest license for volunteer services shall be subject to state laws
2.30 and rules regarding dentistry and the regulatory authority of the board. The board may
2.31 revoke the license of a dentist, dental hygienist, or dental assistant practicing under this
2.32 subdivision or take other regulatory action against the dentist, dental hygienist, or dental
2.33 assistant. If an action is taken, the board shall report the action to the regulatory board
2.34 of those jurisdictions where an active license is held by the dentist, dental hygienist,
2.35 or dental assistant.

3.1 Sec. 2. Laws 2011, First Special Session chapter 9, article 10, section 8, subdivision 8,
 3.2 is amended to read:

3.3 **Subd. 8. Board of Nursing Home**
 3.4 **Administrators** 2,153,000 2,145,000

3.5 **Rulemaking.** Of this appropriation, \$44,000
 3.6 in fiscal year 2012 is for rulemaking. This is
 3.7 a onetime appropriation.

3.8 **Electronic Licensing System Adaptors.**
 3.9 Of this appropriation, \$761,000 in fiscal
 3.10 year 2013 from the state government special
 3.11 revenue fund is to the administrative services
 3.12 unit to cover the costs to connect to the
 3.13 e-licensing system. Minnesota Statutes,
 3.14 section 16E.22. Base level funding for this
 3.15 activity in fiscal year 2014 shall be \$100,000.
 3.16 Base level funding for this activity in fiscal
 3.17 year 2015 shall be \$50,000.

3.18 **Development and Implementation of a**
 3.19 **Disciplinary, Regulatory, Licensing and**
 3.20 **Information Management System.** Of this
 3.21 appropriation, \$800,000 in fiscal year 2012
 3.22 and \$300,000 in fiscal year 2013 are for the
 3.23 development of a shared system. Base level
 3.24 funding for this activity in fiscal year 2014
 3.25 shall be \$50,000.

3.26 **Administrative Services Unit - Operating**
 3.27 **Costs.** Of this appropriation, \$526,000
 3.28 in fiscal year 2012 and \$526,000 in
 3.29 fiscal year 2013 are for operating costs
 3.30 of the administrative services unit. The
 3.31 administrative services unit may receive
 3.32 and expend reimbursements for services
 3.33 performed by other agencies.

3.34 **Administrative Services Unit - Retirement**
 3.35 **Costs.** Of this appropriation in fiscal year

4.1 2012, \$225,000 is for onetime retirement
4.2 costs in the health-related boards. This
4.3 funding may be transferred to the health
4.4 boards incurring those costs for their
4.5 payment. These funds are available either
4.6 year of the biennium.

4.7 **Administrative Services Unit - Volunteer**
4.8 **Health Care Provider Program.** Of this
4.9 appropriation, \$150,000 in fiscal year 2012
4.10 and \$150,000 in fiscal year 2013 are to pay
4.11 for medical professional liability coverage
4.12 required under Minnesota Statutes, section
4.13 214.40.

4.14 **Administrative Services Unit - Contested**
4.15 **Cases and Other Legal Proceedings.** Of
4.16 this appropriation, \$200,000 in fiscal year
4.17 2012 and \$200,000 in fiscal year 2013 are
4.18 for costs of contested case hearings and other
4.19 unanticipated costs of legal proceedings
4.20 involving health-related boards funded
4.21 under this section. Upon certification of a
4.22 health-related board to the administrative
4.23 services unit that the costs will be incurred
4.24 and that there is insufficient money available
4.25 to pay for the costs out of money currently
4.26 available to that board, the administrative
4.27 services unit is authorized to transfer money
4.28 from this appropriation to the board for
4.29 payment of those costs with the approval
4.30 of the commissioner of management and
4.31 budget. This appropriation does not cancel.
4.32 Any unencumbered and unspent balances
4.33 remain available for these expenditures in
4.34 subsequent fiscal years.

- 5.1 **Base Adjustment.** The State Government
5.2 Special Revenue Fund base is decreased by
5.3 \$911,000 in fiscal year 2014 and ~~\$1,011,000~~
5.4 \$961,000 in fiscal year 2015.