SEVENTY-SIXTH LEGISLATIVE DAY

St. Paul, Minnesota, Friday, May 15, 2026

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Westlin imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Chaplain Major Charles Gormley.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Farnsworth	Jasinski	Marty	Rarick
Bahr	Fateh	Johnson	Mathews	Rasmusson
Boldon	Frentz	Johnson Stewart	Maye Quade	Rest
Carlson	Green	Klein	McEwen	Seeberger
Champion	Gruenhagen	Koran	Miller	Utke
Clark	Gustafson	Kreun	Mohamed	Weber
Coleman	Hauschild	Kunesh	Murphy	Wesenberg
Cwodzinski	Hawj	Kupec	Nelson	Westlin
Dahms	Heintzeman	Lang	Oumou Verbeten	Westrom
Dibble	Hemmingsen-Jaeger	Latz	Pappas	Wiklund
Dornink	Hoffman	Lieske	Pha	Xiong
Draheim	Holmstrom	Limmer	Port	
Drazkowski	Housley	Lucero	Pratt	
Duckworth	Howe	Mann	Putnam	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

May 8, 2026

The Honorable Bobby Joe Champion
President of the Senate

Dear Senator Champion:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Seth Moore, Grand Portage, in the county of Cook, effective May 13, 2026, for a term expiring on December 31, 2029.

William Faber, Cushing, in the county of Morrison, effective May 13, 2026, for a term expiring on December 31, 2029.

(Referred to the Committee on Environment, Climate, and Legacy.)

Sincerely,
Tim Walz, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S.F. No. 3720: A bill for an act relating to workers' compensation; adopting 2026 recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2024, sections 79.34, subdivisions 3, 4; 79.35; 79.36; 79.362; 79.38, subdivision 1; 175A.05, by adding a subdivision; 176.011, subdivision 15; 176.081, subdivision 9; 176.101, subdivision 2a; 176.155, subdivision 1; 176.221, subdivision 1; 176.322; repealing Minnesota Statutes 2024, sections 79.34, subdivision 2a; 79.361; 79.363.

Patrick Duffy Murphy, Chief Clerk, House of Representatives

Returned May 14, 2026

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Lieske introduced--

S.F. No. 5295: A bill for an act relating to liquor; defining limited malt liquor and food retailer; authorizing the issuance of off-sale limited malt liquor licenses; making conforming changes; amending Minnesota Statutes 2024, sections 28A.16; 340A.101, subdivision 15a, by adding a subdivision; 340A.301, subdivision 8; 340A.402, subdivision 1; 340A.408, subdivisions 3a, 5, by adding a subdivision; 340A.409, subdivision 4; 340A.410, subdivision 8; 340A.414, subdivision 2; 340A.503, subdivision 1; 340A.504, by adding a subdivision; 340A.508, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

Senators Mann, Kunesh, Hoffman, Maye Quade, and Clark introduced--

S.F. No. 5296: A bill for an act relating to education finance; providing for school employee health insurance; increasing the minimum starting salary for nonlicensed school personnel; providing for paid orientation and professional development for paraprofessionals; appropriating money; amending Minnesota Statutes 2024, sections 43A.316, subdivisions 2, 3, 5, 7, 8, by adding subdivisions; 121A.642, as amended; 125A.08, subdivision 2; Laws 2025, First Special Session chapter 10, article 2, section 24, subdivision 24; proposing coding for new law in Minnesota Statutes, chapters 121A; 123B; 124D; 126C; repealing Minnesota Statutes 2024, section 43A.316, subdivision 11.

Referred to the Committee on Education Finance.

Senator Clark introduced--

S.F. No. 5297: A bill for an act relating to public safety; requiring licensing of bail enforcement agents; authorizing the board of private detective and protective agent services to license bail enforcement agents; establishing criminal penalties; requiring licensed bail enforcement agents to retain certain records; prohibiting licensed bail enforcement agents from enforcing civil immigration laws; amending Minnesota Statutes 2024, sections 60M.07, by adding a subdivision; 326.32, subdivisions 5, 8, 9, 10, by adding subdivisions; 326.3311; 326.3331; 326.336, subdivisions 2, 3, 4; 326.3361, subdivision 2; 326.338, as amended; 326.3381, subdivisions 1, 3, by adding a subdivision; 326.3382; 326.3383, subdivision 1; 326.3384, subdivision 1, by adding a subdivision; 326.3385, subdivision 2; 326.3386, subdivisions 1, 2; 326.3387, subdivision 1; 326.3389; 629.63; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Judiciary and Public Safety.

Senator Mathews introduced--

S.F. No. 5298: A bill for an act relating to family law; modifying custody and parenting time provisions; amending Minnesota Statutes 2024, sections 518.17, subdivision 1; 518.175, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

Senator Fateh introduced--

S.F. No. 5299: A bill for an act relating to immigration enforcement; restricting law enforcement access to sensitive locations; establishing civil remedies; modifying the concealing identity crime; expanding the scope of use of force investigations; limiting access to certain information; amending Minnesota Statutes 2024, sections 13.319, by adding a subdivision; 13.32, subdivision 3; 123B.51, by adding a subdivision; 299C.80, subdivision 1; 609.662, by adding a subdivision; 609.735; Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A; 135A; 142B; 144; 604; proposing coding for new law as Minnesota Statutes, chapter 480C.

Referred to the Committee on Judiciary and Public Safety.

Senator Clark introduced--

S.F. No. 5300: A bill for an act relating to records; permitting request to change or add sex indicators on birth and death records; permitting modifications to marriage records; classifying data; amending Minnesota Statutes 2025 Supplement, sections 517.08, subdivision 1a; 517.10; 517.103; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Judiciary and Public Safety.

MOTIONS AND RESOLUTIONS

Senator Maye Quade moved that the name of Senator Boldon be added as a co-author to S.F. No. 5288. The motion prevailed.

Senator Marty moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Cwodzinski be added as chief author to S.F. No. 2255. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Kunesh be added as a co-author to S.F. No. 2255. The motion prevailed.

Senator Oumou Verbeten moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Wiklund be added as chief author to S.F. No. 3871. The motion prevailed.

Senator Murphy moved that H.F. No. 3825 be taken from the table. The motion prevailed.

H.F. No. 3825: A bill for an act relating to public safety; requiring judge to inquire whether victim has been notified of plea and sentencing hearings; protecting victim from identification in prosecutor's petition for sentence adjustment; expanding victim notification of defendant eligibility for automatic expungement; protecting identity of minor victim in a crime involving sexual performance; expanding protection from employer retaliation to victims of stalking; amending Minnesota Statutes 2024, sections 609.133, subdivision 4; 609.3471; 611A.03, subdivision 1, by adding a subdivision; 611A.036, subdivision 7; 611A.038; 611A.039, subdivision 1.

Senator Murphy moved that H.F. No. 3825 be referred to the Committee on Finance. The motion prevailed.

Senator Weber moved that H.F. No. 3298 be withdrawn from the Committee on Energy, Utilities, Environment, and Climate, given a second reading, and placed on General Orders. The motion prevailed.

H.F. No. 3298 was read the second time.

S.F. No. 4282 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. No. 4282

A bill for an act relating to forecast adjustments; making forecast adjustments to prekindergarten through grade 12 education programs, human services, the Department of Children, Youth, and Families, and Metro Mobility; appropriating money; amending Laws 2025, First Special Session chapter 8, article 1, section 3, subdivisions 1, 3; Laws 2025, First Special Session chapter 10, article 1, section 28, subdivisions 2, 3, 5, 8, 10, 11, 12; article 2, section 24, subdivisions 2, 14, 15, 24; article 3, section 15, subdivisions 3, 13; article 5, section 19, subdivision 2; article 6, section 6, subdivisions 2, 7; article 7, section 11, subdivisions 2, 4, 7, 8, 9; article 8, section 18, subdivisions 3, 6; article 9, section 11, subdivisions 2, 3, 4, 6, 10; article 10, section 10, subdivisions 3, 4, 6; article 11, section 2, subdivisions 2, 4.

May 14, 2026

The Honorable Bobby Joe Champion
President of the Senate

The Honorable Lisa M. Demuth
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 4282 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 4282, the first engrossment, be further amended as follows:

Page 1, after line 12, insert:

"ARTICLE 1

KINDERGARTEN THROUGH GRADE 12 EDUCATION

Section 1. Minnesota Statutes 2025 Supplement, section 121A.642, subdivision 4, is amended to read:

Subd. 4. **Qualifications.** (a) Starting in the 2025-2026 school year, a paraprofessional meets the federal personnel qualifications required in Code of Federal Regulations, title 34, section 300.156, if the paraprofessional:

(1) has at least two years of college credits through an accredited institution of higher education, or an associate's degree or higher;

(2) has received a passing score on an assessment approved by the Department of Education; or

(3) demonstrates the following competencies, regardless of the number of hours of training the paraprofessional has received:

(i) understanding the distinctions between roles and responsibilities of professionals, paraprofessionals, and support personnel;

(ii) understanding the purposes and goals of education and instruction for all students;

(iii) knowledge of relevant laws, rules, regulations, and local district policies and procedures to ensure paraprofessionals work within these parameters;

(iv) awareness of the challenges and expectations of various learning environments;

(v) the ability to establish and maintain rapport with students;

(vi) the ability to follow oral and written direction of licensed teachers, seeking clarification as needed;

(vii) the ability to assist and reinforce elements that support a safe, healthy, and effective teaching and learning environment;

(viii) understanding strategies for assisting with the inclusion of students in various settings;

(ix) the ability to use strategies that promote the student's independence;

(x) understanding applicable laws, rules, and regulations, and procedural safeguards regarding the management of student behaviors;

(xi) awareness of the primary factors that influence student behavior;

(xii) the ability to effectively employ a variety of strategies that reinforce positive behavior;

(xiii) the ability to use ethical practices for confidential communication about students;

(xiv) the ability to follow teacher instructions while conferring and collaborating with teachers about student schedules, instructional goals, and performance;

(xv) demonstrating a commitment to assisting students in reaching the students' highest potential, including the modeling of positive behavior;

(xvi) showing respect for the diversity of students;

(xvii) showing a willingness to participate in ongoing staff development and self-evaluation and to apply constructive feedback;

(xviii) supporting and reinforcing the instruction of students in mathematics following written and oral lesson plans developed by licensed teachers;

(xix) supporting and reinforcing the instruction of students in reading following written and oral lesson plans developed by licensed teachers. Professional development required under the Read Act in section 120B.123 exceeds this requirement; and

(xx) supporting and reinforcing the instruction of students in writing following written and oral lesson plans developed by licensed teachers.

(b) Starting in the 2025-2026 school year, a paraprofessional meets the federal personnel qualifications required in Code of Federal Regulations, title 34, section 200.58, if the paraprofessional:

(1) has at least two years of college credits from an accredited institution of higher education, or an associate's degree or higher; or

(2) met a rigorous standard of quality and can demonstrate, through a formal state or local academic assessment, knowledge of and the ability to assist in instructing, as appropriate:

(i) reading or language arts, writing, and mathematics; or

(ii) reading readiness, writing readiness, and mathematics readiness.

(c) Upon request from a paraprofessional employed by a school district, charter school, or cooperative unit providing direct instructional services, the school district, charter school, or cooperative unit may provide administrative assistance to the paraprofessional when completing requirements related to the competencies required under this subdivision.

(d) A paraprofessional who demonstrates the competencies listed in paragraph (a), clause (3), must be deemed to have satisfied the requirements of Code of Federal Regulations, title 34, section 200.58(c)(3)(i), when the paraprofessional's employing district or charter school validates the paraprofessional's demonstration of the competencies. The department must provide guidance to district and charter school leaders no later than August 1, 2026, on possible ways to validate these competencies and may update the guidance as needed. A district or charter school must maintain the paraprofessional's completed assessment and documentation that the paraprofessional demonstrated the required competencies in the paraprofessional's personnel file and make the records available to department and federal reviewers upon request.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2024, section 124D.83, is amended by adding a subdivision to read:

Subd. 4a. **Permanent school fund aid.** (a) A Tribal contract school's permanent school fund aid equals the per pupil apportionment under section 127A.33 for that year times the average daily membership served of the Tribal contract school in the prior fiscal year.

(b) The commissioner shall pay the permanent school fund aid to the Tribal contract schools in the same manner as the aid is paid to school districts under section 127A.33.

(c) There is annually appropriated from the general fund to the Department of Education the amounts necessary for permanent school fund aid under paragraph (a).

EFFECTIVE DATE. This section is effective July 1, 2027, for state aid for fiscal year 2028 and later if the constitutional amendment proposed in H.F. 3900, or a similarly styled bill, is adopted by the voters.

Sec. 3. Minnesota Statutes 2024, section 126C.10, subdivision 14, is amended to read:

Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may be used only for the following purposes:

(1) to acquire land for school purposes;

(2) to acquire or construct buildings for school purposes;

(3) to rent or lease buildings, including the costs of building repair or improvement that are part of a lease agreement;

(4) to improve and repair school sites and buildings, and equip or reequip school buildings with permanent attached fixtures, including library media centers and gender-neutral single-user restrooms, locker room privacy stalls, or other spaces with privacy features, including single-user shower stalls, changing stalls, or other single-user facilities;

(5) for a surplus school building that is used substantially for a public nonschool purpose;

(6) to eliminate barriers or increase access to school buildings by individuals with a disability;

(7) to bring school buildings into compliance with the State Fire Code adopted according to chapter 299F;

(8) to remove asbestos from school buildings, encapsulate asbestos, or make asbestos-related repairs;

(9) to clean up and dispose of polychlorinated biphenyls found in school buildings;

(10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section 296A.01;

(11) for energy audits for school buildings and to modify buildings if the audit indicates the cost of the modification can be recovered within ten years;

(12) to improve buildings that are leased according to section 123B.51, subdivision 4;

(13) to pay special assessments levied against school property but not to pay assessments for service charges;

(14) to pay principal and interest on state loans for energy conservation according to section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust Fund Act according to sections 298.292 to 298.297;

(15) to purchase or lease interactive telecommunications equipment;

(16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the amounts needed to meet, when due, principal and interest payments on certain obligations issued according to chapter 475; or (ii) pay principal and interest on debt service loans or capital loans according to section 126C.70;

(17) to pay operating capital-related assessments of any entity formed under a cooperative agreement between two or more districts;

(18) to purchase or lease computers and related hardware, software, and annual licensing fees, copying machines, telecommunications equipment, and other noninstructional equipment;

(19) to purchase or lease assistive technology or equipment for instructional programs;

(20) to purchase textbooks as defined in section 123B.41, subdivision 2;

(21) to purchase new and replacement library media resources or technology;

(22) to lease or purchase vehicles;

(23) to purchase or lease telecommunications equipment, computers, and related equipment for integrated information management systems for:

(i) managing and reporting learner outcome information for all students under a results-oriented graduation rule;

(ii) managing student assessment, services, and achievement information required for students with individualized education programs; and

(iii) other classroom information management needs;

(24) to pay personnel costs directly related to the acquisition, operation, and maintenance of telecommunications systems, computers, related equipment, and network and applications software;

(25) to pay the costs directly associated with closing a school facility, including moving and storage costs;

(26) to pay the costs of supplies and equipment necessary to provide access to menstrual products at no charge to students in restrooms and as otherwise needed in school facilities; ~~and~~

(27) to pay the costs of the opiate antagonists required under section 121A.224~~.~~; and

(28) to pay utility service costs.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2027 and later.

Sec. 4. Laws 2023, chapter 55, article 8, section 19, subdivision 5, as amended by Laws 2024, chapter 115, article 8, section 4, is amended to read:

Subd. 5. **Grants for gender-neutral single-user restrooms.** (a) For grants to school districts for remodeling, constructing, or repurposing space for gender-neutral single-user restrooms:

$	1,000,000	.....	2024
$	1,000,000	.....	2025

(b) A school district or a cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2, may apply for a grant of not more than $75,000 per site under this subdivision in the form and manner specified by the commissioner. The commissioner must award at least one grant under this subdivision to Independent School District No. 709, Duluth, for a demonstration grant for a project awaiting construction.

(c) The commissioner must ensure that grants are awarded to schools to reflect the geographic diversity of the state.

(d) Up to $75,000 each year is available for grant administration and monitoring.

(e) By February 1 of each year, the commissioner must annually report to the committees of the legislature with jurisdiction over education on the number of grants that were awarded each year and the number of grant applications that were unfunded during that year.

(f) Any balance in the first year does not cancel but is available in the second year.

(g) These appropriations are available until June 30, 2029.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Laws 2025, First Special Session chapter 10, article 8, section 18, subdivision 5, is amended to read:

Subd. 5. **Grants for gender-neutral single-user restrooms.** (a) For grants to school districts for remodeling, constructing, or repurposing space for gender-neutral single-user restrooms:

$	1,000,000	.....	2026
$	1,000,000	.....	2027

(b) A school district or a cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2, may apply for a grant of not more than $75,000 per site under this subdivision in the form and manner specified by the commissioner.

(c) The commissioner must ensure that grants are awarded to schools to reflect the geographic diversity of the state.

(d) Notwithstanding Minnesota Statutes, section 16B.98, subdivision 14, up to $75,000 of the appropriation in each year is available for grant administration.

(e) By February 1 of each even-numbered year, the commissioner must ~~annually~~ report to the legislative committees with jurisdiction over kindergarten through grade 12 education on the number of grants that were awarded each year and the number of grant applications that were unfunded each year.

(f) Any balance remaining in fiscal year 2026 is available in fiscal year 2027.

(g) These appropriations are available until June 30, 2031.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. **SCHOOL DISTRICT FUND TRANSFERS.**

Subdivision 1. **West St. Paul-Mendota Heights-Eagan.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 475.61, subdivision 4, on June 30, 2026, Independent School District No. 197, West St. Paul-Mendota Heights-Eagan, may permanently transfer up to $4,500,000 from its building construction fund to the reserved account for operating capital in the general fund without making a levy reduction, provided that the school board approves the transfer.

Subd. 2. **Maple Lake Public Schools.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 475.61, subdivision 4, on June 30, 2026, Independent School District No. 881, Maple Lake Public Schools, may permanently transfer up to $1,800,000 from its building construction fund to the reserved account for operating capital in the general fund without making a levy reduction, provided that the school board approves the transfer.

EFFECTIVE DATE. This section is effective the day following final enactment."

Page 1, line 14, after "EDUCATION" insert "FORECAST ADJUSTMENTS"

Renumber the articles in sequence

Amend the title as follows:

Page 1, line 2, delete "forecast adjustments;" and insert "government aids; clarifying paraprofessional qualifications; providing for permanent school fund aid for Tribal contract schools; authorizing certain school district fund transfers;" and delete "to prekindergarten" and insert "for the Department of Education, Department of Human Services,"

Page 1, line 3, delete everything before "Department"

Correct the title numbers accordingly

We request the adoption of this report and repassage of the bill.

Senate Conferees: Mary Kunesh, Steve Cwodzinski, Doron Clark, Jason Rarick

House Conferees: Cheryl Youakim, Mohamud Noor, Ron Kresha, Joe Schomacker

Senator Kunesh moved that the foregoing recommendations and Conference Committee Report on S.F. No. 4282 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 4282 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Klein	McEwen	Putnam
Carlson	Gustafson	Kunesh	Mohamed	Rest
Champion	Hauschild	Kupec	Murphy	Seeberger
Clark	Hawj	Latz	Oumou Verbeten	Westlin
Cwodzinski	Hemmingsen-Jaeger	Mann	Pappas	Wiklund
Dibble	Hoffman	Marty	Pha	Xiong
Fateh	Johnson Stewart	Maye Quade	Port	

Pursuant to Rule 40, Senator Oumou Verbeten cast the affirmative vote on behalf of the following Senators: Carlson, Fateh, Hawj, Hoffman, Johnson Stewart, Kupec, Latz, Mann, Marty, Mohamed, Pappas, Putnam, Wiklund, and Xiong.

Those who voted in the negative were:

Abeler	Duckworth	Howe	Limmer	Rasmusson
Bahr	Farnsworth	Jasinski	Lucero	Utke
Coleman	Green	Johnson	Mathews	Weber
Dahms	Gruenhagen	Koran	Miller	Wesenberg
Dornink	Heintzeman	Kreun	Nelson	Westrom
Draheim	Holmstrom	Lang	Pratt	
Drazkowski	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Housley, Lieske, and Rasmusson.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Murphy, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 3489, 5074, 4074, 4138, 3067; and S.F. No. 3236.

SPECIAL ORDER

H.F. No. 3489: A bill for an act relating to education; establishing a field trip policy; requiring reporting to licensing boards; establishing the criminal offense of grooming; appropriating money; amending Minnesota Statutes 2024, sections 122A.20, subdivisions 1, 2; 260E.15; 260E.28, subdivision 1; 609.352, subdivisions 1, 4, by adding subdivisions; Minnesota Statutes 2025 Supplement, sections 260E.065, by adding a subdivision; 260E.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 121A.

Senator Maye Quade moved to amend H.F. No. 3489, the unofficial engrossment, as follows (A11):

Page 7, line 16, delete "42,396,000" and insert "42,647,000"

Page 8, line 16, delete "$1,200,000" and insert "$1,451,000" and delete "only"

Page 8, line 17, after the period, insert "The base for the allocation under this clause is $1,441,000 in fiscal year 2028 and $1,442,000 in fiscal year 2029 and later."

Page 8, line 22, strike "and later" and delete "$42,526,000" and insert "$42,767,000" and after the period, insert "The base for fiscal year 2029 and later is $42,768,000."

The motion prevailed. So the amendment was adopted.

H.F. No. 3489 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Farnsworth	Johnson	Mathews	Rasmusson
Bahr	Fateh	Johnson Stewart	Maye Quade	Rest
Boldon	Frentz	Klein	McEwen	Seeberger
Carlson	Green	Koran	Miller	Utke
Champion	Gruenhagen	Kreun	Mohamed	Weber
Clark	Gustafson	Kunesh	Murphy	Wesenberg
Coleman	Hauschild	Kupec	Nelson	Westlin
Cwodzinski	Hawj	Lang	Oumou Verbeten	Westrom
Dahms	Heintzeman	Latz	Pappas	Wiklund
Dibble	Hemmingsen-Jaeger	Lieske	Pha	Xiong
Dornink	Holmstrom	Limmer	Port	
Draheim	Housley	Lucero	Pratt	
Drazkowski	Howe	Mann	Putnam	
Duckworth	Jasinski	Marty	Rarick	

Pursuant to Rule 40, Senator Oumou Verbeten cast the affirmative vote on behalf of the following Senators: Carlson, Fateh, Gustafson, Hawj, Johnson Stewart, Kupec, Mann, Marty, Pappas, Putnam, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Housley, Johnson, Lang, Lieske, Limmer, and Rasmusson.

So the bill, as amended, was passed and its title was agreed to.

RECESS

Senator Maye Quade moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a recess, the President called the Senate to order.

SPECIAL ORDER

H.F. No. 5074: A bill for an act relating to claims against the state; providing for the settlement of certain claims; appropriating money.

H.F. No. 5074 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Coleman	Dibble	Drazkowski
Bahr	Champion	Cwodzinski	Dornink	Duckworth
Boldon	Clark	Dahms	Draheim	Farnsworth

Fateh	Housley	Latz	Mohamed	Rest
Frentz	Jasinski	Lieske	Murphy	Seeberger
Green	Johnson	Limmer	Nelson	Utke
Gruenhagen	Johnson Stewart	Lucero	Oumou Verbeten	Weber
Gustafson	Klein	Mann	Pappas	Wesenberg
Hauschild	Koran	Marty	Pha	Westlin
Hawj	Kreun	Mathews	Port	Westrom
Heintzeman	Kunesh	Maye Quade	Pratt	Wiklund
Hemmingsen-Jaeger	Kupec	McEwen	Putnam	Xiong
Holmstrom	Lang	Miller	Rarick	

Pursuant to Rule 40, Senator Oumou Verbeten cast the affirmative vote on behalf of the following Senators: Carlson, Fateh, Hawj, Kupec, Latz, Mann, Marty, Maye Quade, Murphy, Putnam, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Draheim, Housley, Johnson, Lang, and Lieske.

Those who voted in the negative were:

Howe	Rasmusson

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 4074: A bill for an act relating to retirement; Minnesota State Retirement System; making administrative and technical changes; Public Employees Retirement Association local government correctional service retirement plan; reducing the employee and employer contribution rates and increasing postretirement adjustments; public employees police and fire retirement plan; reducing the waiting period for post-retirement adjustments; providing direct state aid; Teachers Retirement Association; making administrative changes; St. Paul Teachers Retirement Fund Association; decreasing employee contributions; providing direct state aid; modifying the termination process for firefighter relief associations; implementing recommendations of the state auditor's fire relief association working group; special legislation for the Maple Plain fire department termination of participation in the statewide volunteer firefighter plan; modifying the definition of salary to exclude pay for Minnesota paid leave; requiring the employer of a reemployed annuitant to make employer contributions to the pension plan that covers the annuitant; authorizing elected officials to participate in the health care savings plan; Minnesota Secure Choice Retirement Program; making administrative changes; revising enrollment, notice, annual reporting, and board of director requirements; State Board of Investment; modifying expense apportionment among funds managed by the State Board of Investment; establishing work groups on relief associations and duty disability; establishing the Probation and Telecommunicator Retirement subplan administered by the Minnesota State Retirement System; establishing the Local Government Probation and Telecommunicator Retirement Plan administered by the Public Employees Retirement Association; transfers from the general fund to the new probation and telecommunicator to fund a temporary reduction in employee contribution rates; special legislation for an individual's periods of omitted service; special legislation for an individual with a missing higher education individual retirement account; making technical changes; appropriating and transferring money; amending Minnesota Statutes 2024, sections 6.496; 11A.07, subdivision 5; 11A.17, subdivision 1; 43A.346, subdivisions 8, 10; 144F.01, subdivision 2; 187.03, by adding subdivisions; 187.05, subdivisions 1, 7, by adding a subdivision; 187.06,

subdivision 3; 187.07, by adding a subdivision; 187.08, subdivisions 1, 2, 6, 8; 299K.03, subdivision 3; 299N.02, subdivision 1; 352.01, subdivision 13; 352.021, subdivision 2; 352.029, subdivisions 1, 2, 2a; 352.115, subdivisions 7a, 8, 9, 10; 352.1155, subdivision 3; 352.75, subdivision 2; 352.87, subdivisions 1, 2; 352.951; 352.98, subdivisions 1, 3; 353.01, subdivisions 10, 16, 37; 353.0141, subdivision 1; 353.031, subdivisions 1, 2, 3; 353.15, subdivision 1; 353.27, subdivisions 4, 7b, 11, 12, 12a, 12b, 13, 14; 353.30, subdivision 3; 353.33, subdivisions 3, 7a, 11; 353.34, subdivisions 1, 3; 353.37, subdivision 5; 353.371, subdivisions 6, 7; 353.46, subdivision 2; 353D.03, subdivision 6; 353E.03, subdivisions 1, 2; 353G.02, subdivision 4; 353G.08, subdivision 1; 353G.18, subdivision 4; 354.05, subdivisions 35, 37, by adding a subdivision; 354.07, subdivision 2; 354.44, subdivision 5; 354.444, subdivisions 2, 3, 5; 354.445; 354.48, subdivisions 4, 6; 354A.011, subdivisions 14b, 24; 354A.021, subdivision 8; 354A.095; 354A.12, subdivisions 1, 3a, 3c; 354A.29, subdivision 7; 356.20, subdivision 2; 356.214, subdivision 1; 356.216; 356.219, subdivision 1; 356.24, subdivision 3; 356.30, subdivisions 1, 3, by adding a subdivision; 356.302, subdivisions 1, 7; 356.303, subdivision 4; 356.315, subdivision 9; 356.32, subdivision 2; 356.401, subdivision 3; 356.415, subdivisions 1g, 2, by adding a subdivision; 356.461, subdivisions 1, 2; 356.465, subdivision 3; 356.47, subdivision 3; 356.48, subdivision 1; 356.611, subdivision 6; 356.635, subdivision 2a; 356.65, subdivision 1; 356B.02; 423A.02, subdivisions 1b, 3; 424A.001, subdivisions 8, 9, 9a, 9b; 424A.01, subdivision 3; 424A.014, subdivision 1; 424A.016, subdivision 4; 424B.10, subdivision 1b; 424B.22, subdivisions 5, 7, 8, 9, as amended; 465.90; Minnesota Statutes 2025 Supplement, sections 11A.04; 11A.07, subdivision 4; 151.37, subdivision 12; 181.101; 187.03, subdivisions 5, 6a; 187.05, subdivisions 1a, 4; 187.07, subdivision 1; 187.08, subdivision 3; 187.11; 187.12, subdivision 1; 299A.465, subdivision 1; 352.029, subdivision 3; 352.905, by adding a subdivision; 352.907, by adding a subdivision; 353.01, subdivisions 2a, 2b; 353.65, subdivision 3b; 353D.01, subdivision 2; 353D.02, subdivision 7; 356.215, subdivisions 8, 11; 356.24, subdivision 1; 356.415, subdivision 1c; 423A.022, subdivision 2; 424A.016, subdivision 6; 424A.05, subdivision 3; Laws 2022, chapter 65, article 3, section 1, subdivisions 2, as amended, 3, as amended; Laws 2025, chapter 39, article 1, section 8; proposing coding for new law in Minnesota Statutes, chapters 187; 352; 424A; proposing coding for new law as Minnesota Statutes, chapter 353H; repealing Minnesota Statutes 2024, sections 352.87, subdivision 8; 424A.01, subdivision 6; Minnesota Statutes 2025 Supplement, section 187.07, subdivision 3.

Senator Rasmusson moved to amend H.F. No. 4074 as follows (A50):

Page 89, delete section 1

Page 90, delete section 2

Page 91, delete section 4

Page 92, delete section 5

Page 96, delete section 7

Page 97, delete sections 8 and 9

Page 99, delete section 11

Page 100, delete sections 12 and 13

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 39, as follows:

Those who voted in the affirmative were:

Bahr	Farnsworth	Jasinski	Lucero	Utke
Dahms	Green	Johnson	Mathews	Weber
Dornink	Gruenhagen	Koran	Nelson	Wesenberg
Draheim	Heintzeman	Kreun	Pratt	Westrom
Drazkowski	Holmstrom	Lieske	Rarick	
Duckworth	Housley	Limmer	Rasmusson	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Draheim, Housley, Johnson, and Lieske.

Those who voted in the negative were:

Abeler	Fateh	Johnson Stewart	Maye Quade	Port
Boldon	Frentz	Klein	McEwen	Putnam
Carlson	Gustafson	Kunesh	Miller	Rest
Champion	Hauschild	Kupec	Mohamed	Seeberger
Clark	Hawj	Lang	Murphy	Westlin
Coleman	Hemmingsen-Jaeger	Latz	Oumou Verbeten	Wiklund
Cwodzinski	Hoffman	Mann	Pappas	Xiong
Dibble	Howe	Marty	Pha	

Pursuant to Rule 40, Senator Oumou Verbeten cast the negative vote on behalf of the following Senators: Carlson, Fateh, Hawj, Latz, Mann, Marty, Mohamed, Murphy, Wiklund, and Xiong.

The motion did not prevail. So the amendment was not adopted.

H.F. No. 4074 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 9, as follows:

Those who voted in the affirmative were:

Abeler	Fateh	Johnson Stewart	Maye Quade	Rarick
Boldon	Frentz	Klein	McEwen	Rasmusson
Carlson	Gustafson	Koran	Miller	Rest
Champion	Hauschild	Kreun	Mohamed	Seeberger
Clark	Hawj	Kunesh	Murphy	Utke
Coleman	Heintzeman	Kupec	Nelson	Weber
Cwodzinski	Hemmingsen-Jaeger	Lang	Oumou Verbeten	Westlin
Dahms	Hoffman	Latz	Pappas	Wiklund
Dibble	Housley	Limmer	Pha	Xiong
Dornink	Howe	Mann	Port	
Draheim	Jasinski	Marty	Pratt	
Farnsworth	Johnson	Mathews	Putnam	

Pursuant to Rule 40, Senator Oumou Verbeten cast the affirmative vote on behalf of the following Senators: Boldon, Carlson, Fateh, Latz, Mann, Marty, Mohamed, Murphy, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Draheim, and Miller.

Those who voted in the negative were:

Bahr	Green	Holmstrom	Lucero	Westrom
Drazkowski	Gruenhagen	Lieske	Wesenberg	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 4138: A bill for an act relating to civil law; establishing requirements for social media platforms related to accounts for minors; establishing enforcement mechanisms for regulations on child social media accounts; providing for social media behavioral threat assessment and reporting; amending Minnesota Statutes 2024, sections 325M.31; 325M.33; proposing coding for new law in Minnesota Statutes, chapter 325M.

Senator Maye Quade moved to amend H.F. No. 4138, as amended pursuant to Rule 45, adopted by the Senate May 14, 2026, as follows (A-1):

(The text of the amended House File is identical to S.F. No. 4696.)

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2024, section 325M.33, is amended to read:

325M.33 TRANSPARENCY REQUIREMENTS FOR SOCIAL MEDIA PLATFORMS.

A social media platform must publicly and conspicuously post the following information on the social media platform's website:

(1) an explanation of how the social media platform limits excessive account interactions, including:

(i) the maximum limit on the number of times that a user can engage in each specific kind of account interaction in an hour, day, week, and month; and

(ii) whether and how the platform engages in any reduction in the ability of accounts to affect other users when the user engages in a high number of account interactions that is below the maximum limit;

(2) an explanation detailing how the platform:

(i) assesses the quality of content;

(ii) assesses users' expressed preferences regarding content; and

(iii) utilizes the assessments under items (i) and (ii) in each of the social media platform's algorithmic ranking system, including how the assessments are weighted in relation to other signals in the algorithmic ranking system;

(3) statistics on the platform's use with respect to the tenth, 25th, 50th, 75th, 90th, 95th, 99th, and 99.9th percentile of all platform account holders for each distinct type of account interaction or engagement, including but not limited to:

(i) sending invitations or messages to other platform account holders;

(ii) commenting on, resharing, liking, voting for, or otherwise reacting to content;

(iii) posting new user-generated content;

(iv) disseminating user-generated content to other platform account holders; and

(v) time spent on the platform;

(4) an explanation of how the platform determines whether a notification is time sensitive and how many time-sensitive and non-time-sensitive notifications are sent to users including:

(i) how many time-sensitive and non-time-sensitive notifications are sent with respect to the tenth, 25th, 50th, 75th, 90th, 95th, 99th, and 99.9th percentile of all platform account holders in a given day; and

(ii) how many time-sensitive and non-time-sensitive notifications are sent with respect to the tenth, 25th, 50th, 75th, 90th, 95th, 99th, and 99.9th percentile of all platform account holders during each hour between the hours of 11:00 p.m. and 7:00 a.m.; ~~and~~

(5) a description of all product experiments that have been conducted on 1,000 or more users, including a description of the experimental conditions and the results of the product experiment for all experimental conditions on users' viewing or engaging with content that:

(i) users indicate to be high or low quality;

(ii) users indicate complies or does not comply with the users' expressed preferences; or

(iii) violates platform policies~~.~~; and

(6) an explanation of the age estimation process used to determine the age of account holders.

EFFECTIVE DATE. This section is effective July 1, 2027.

Sec. 2. **[325M.40] STOP HARMS FROM ADDICTIVE SOCIAL MEDIA.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Account holder" means a resident of the state who has an account or a profile with a covered social media platform with a unique identifier during any period in which that covered social media platform knows or should reasonably know the account holder is physically located in the state.

(c) "Addictive interface features" means:

(1) infinite scrolling meaning either continuously loading content, content that loads as the account holder scrolls down the page without the need to open a separate page, seamless content, or the use of pages with no visible or apparent end or page breaks;

(2) display of a profile-based feed;

(3) push notifications, whether audible, visual, or tactile, designed to call the attention of the account holder to newly posted content, user responses to content posted by the account holder, or other specific activities or events related to the account holder's account, but not including notifications for the purposes of alerting the account holder to incoming calls, text messages, email messages, or similar messages sent by human contact and delivered by means of any application;

(4) autoplay video or video that begins to play without the account holder first clicking on the video or on a play button for that video;

(5) display of personal metrics that indicate the number of times other users have clicked a button or taken other action to indicate their reaction to content posted by the account holder or have shared or reposted content posted by the account holder; or

(6) display of awards, badges, tiers, or any form of recognition of the account holder based on hours spent by the account holder on the covered social media platform, numbers of followers, numbers of postings, frequency or regularity of postings, or any other metric of usage or performance on the covered social media platform.

(d) "Child" means an individual who is age 15 or younger and residing in Minnesota.

(e) "Covered social media platform" means a social media platform that has 10,000 or more account holders or that has earned at least $1,000,000,000 in revenues worldwide in one or more of the preceding three years.

(f) "Minor" means an individual who is under the age of 18.

(g) "Paid commercial advertising" is advertising for which the covered social media platform receives compensation of any sort in return for displaying the advertising and that seeks to encourage the account holder to purchase a product or service or otherwise engage in a commercial transaction or to follow a link to a website that encourages the account holder to engage in a commercial transaction.

(h) "Parent" means any parent under state law or any legal guardian or legal custodian of a child who is a resident of the state.

(i) "Personal information" means information about an account holder collected online that comprises personal information within the meaning of the Children's Online Privacy Protection Act, United States Code, title 15, section 6501(8), and the implementing regulations at Code of Federal Regulations, title 16, section 312.2. Personal information also includes any record of or derived from online activity or history, search history, or online communications of an account holder with respect to any application, website, or covered social media platform; any photograph or biometric

information that is used or could reasonably be used to identify the account holder, including but not limited to fingerprints, voiceprints, iris or retina imagery scans, facial templates, or gait imagery or metrics; and any geolocation information associated with an account holder or with a device of an account holder. Personal information does not include an express search term, request, or selection submitted by the account holder during the current session on the covered social media platform; an identifier used solely for the purpose of directing personal communications to or from the account holder; information that comprises account holder-selected or parent-selected settings relating to privacy, accessibility, or blocking of age-inappropriate content; or technical information concerning the account holder's device.

(j) "Profile-based feed" means a feed in which the material presented has been selected or prioritized by the covered social media platform for display to an account holder based in whole or in part on personal information of that account holder, except that inclusion in a feed of content created by a third party that is displayed to the account holder because the account holder has taken an affirmative step to select the third party's content for inclusion in the feed displayed to the account holder, such as by following, friending, or engaging in similar actions in relation to the third party and not otherwise selected or prioritized for display to the account holder based on personal information, shall not render the feed a profile-based feed. Additionally, exclusion by a covered social media platform of certain content from the feed of an account holder based on information about or any estimate of the age of an account holder solely for the purpose of excluding content that (1) is obscene as to children age 15 or younger, or (2) by policy of the covered social media platform is not suitable for presentation to children of that age shall not render that feed a profile-based feed.

(k) "Social media platform" means an Internet website or application that is open to the public, allows a user to create an account, enables an account holder to communicate with other users for the primary purpose of posting and viewing information, comments, messages, images, or videos, and utilizes addictive interface features, provides profile-based feeds, or utilizes personal information to display targeted paid commercial advertising. Social media platform does not include:

(1) a broadband Internet access service as defined by the Federal Communications Commission;

(2) an online service, website, or application where the exclusive function is the support of communications, including email, video conference capabilities, or direct messaging consisting of text, photographs, pictures, images, or videos only between the sender and recipients specifically identified by the sender, without displaying or posting publicly or to other users not specifically identified as the recipients by the sender;

(3) an online service, application, or website with content consisting primarily of information or content that is not user generated; or

(4) a streaming service, online video game, e-commerce, or other Internet website where the content is not user generated, but where interactive functions enable chat, comments, reviews, or other interactive functionality that is incidental to, directly related to, or dependent upon the non-user-generated content.

(l) "Targeted paid commercial advertising" means paid commercial advertising that has been selected or prioritized for display to an account holder based in whole or in part on account activity

or personal information of the account holder by or with the participation of the covered social media platform, except that advertising selected for display to an account holder shall not constitute targeted paid commercial advertising if that selection process considers information about or an estimate of the age of the account holder solely for the purpose of excluding advertisements that by law or policy of the covered social media platform are not suitable for presentation to a child of that age.

(m) "Verifiable parental consent" has the meaning established in the Children's Online Privacy Protection Act, United States Code, title 15, section 6501(9), and the implementing regulations under Code of Federal Regulations, title 16, section 312.5.

Subd. 2. **Age estimation; requirements.** (a) When a new account holder has been on the covered social media platform for 25 hours or more within a six-month period, the covered social media platform has 14 days to estimate the age of the account holder using reasonable efforts, taking into consideration available technology and the data in the possession of the covered social media platform. If the covered social media platform is able to conclude with a percentage confidence score of 80 percent or greater that the user is 16 years old or older, the covered social media platform may treat the account holder to be other than a child for purposes of this section. Otherwise, the covered social media platform must treat the account holder as a child for purposes of this section.

(b) When a new account holder has been on the covered social media platform for 50 hours or more within a six-month period, the covered social media platform has 14 days to use reasonable efforts to revise the covered social media platform's initial estimate of the age of the account holder. If the covered social media platform is able to conclude with a percentage confidence score of 90 percent or more that the account holder is 16 years of age or older, the covered social media platform may treat the account holder to be other than a child for purposes of this section. Otherwise, the covered social media platform must treat the account holder as a child for purposes of this section.

(c) A covered social media platform shall update its estimate of the age of each account holder after every six months that the account holder is on the platform, or as often as the covered social media platform applies any form of data analytics or artificial intelligence to update the covered social media platform's estimate of any other demographic characteristics of the account holder for any reason, whichever period is shorter. If the covered social media platform is able to conclude with a percentage confidence score of 90 percent or more that the account holder is 16 years of age or older, the covered social media platform may treat the account holder to be other than a child for purposes of this section. Otherwise, the covered social media platform must treat the account holder as a child for purposes of this section.

(d) Nothing in this section shall be construed to create any duty on the part of a covered social media platform to request, collect, or retain any information from or about any account holder, except as provided under subdivision 7. The age estimate required by this section shall be derived based on information collected by the covered social media platform in the ordinary course of operation of the covered social media platform, and a covered social media platform shall have no obligation under this section to estimate the age of an account holder who has had an account with the covered social media platform continuously for at least seven years or to take any action with respect to the account.

Subd. 3. **Creation and maintenance of account of a child.** (a) A covered social media platform shall require applicants for an account to provide the month and year of their birth date as part of the account application process, and shall not provide a default birthdate in any form or query used to obtain that information.

(b) A covered social media platform may not create an account for a user identified as a child pursuant to this section, or change the terms and conditions of an account of a child, without first obtaining verifiable parental consent. A covered social media platform that is required to treat an account holder as a child pursuant to subdivision 2 must not maintain an account of a child without verifiable consent consistent with the process in subdivision 6, paragraph (c). Information collected for the purpose of obtaining verifiable parental consent shall not be used for any purpose other than obtaining verifiable parental consent and shall not be sold, transferred, or disclosed, except to the extent necessary to comply with any other applicable state or federal law or regulation.

(c) A covered social media platform shall provide clear, simple, and easy-to-locate information through a link about the creation or maintenance of an account of a child and include that information in the terms and services agreement.

Subd. 4. **Privacy and parental limitations for account of a child.** (a) An account for a child shall have all privacy settings set by default at the most private levels.

(b) A covered social media platform may not change the privacy settings of an account of a child so long as the account holder remains a child.

(c) In the course of obtaining verifiable parental consent for the establishment or continuation of an account of a child, a covered social media platform shall prominently provide and explain an option for the parent to:

(1) monitor the amount of time the child spends using the covered social media platform;

(2) set daily and weekly time limits on use of the covered social media platform; and

(3) set limits on times of day when the covered social media platform can be accessed by the child.

(d) Information collected on the account of a child by the social media platform shall not at any time be sold, transferred, or disclosed, except to the extent necessary to comply with any other applicable state or federal law or regulation.

Subd. 5. **Prohibition on addictive interface; presentation of paid commercial advertising.** (a) A covered social media platform may not present addictive interface features in the display or feed of any account of a child.

(b) A covered social media platform may not present targeted paid commercial advertising in the display or feed of any account of a child.

Subd. 6. **Termination of an account of a child.** (a) A covered social media platform shall terminate an account of a child within no more than seven days after receipt of a request for termination from the account holder.

(b) A covered social media platform shall terminate the account of a child within 14 days of the receipt of a request for termination from a parent of the account holder. Upon receipt of the parent's request, the covered social media platform shall verify that the requesting party is a parent of the account holder by whatever means of verification the covered social media platform uses for purposes of ascertaining the validity of verifiable parental consent. A covered social media platform shall provide clear, simple, and easy-to-locate means for the parent of any child to request termination of any account of a child.

(c) A covered social media platform must terminate an account if it concludes, consistent with the age estimation requirements in subdivision 2, that an account holder is a child unless verifiable parental consent is obtained for the account. The covered social media platform shall provide 30 days from the date of the notice for the account holder to dispute the age classification or to provide verifiable parental consent. If an account holder disputes his or her classification as a child, a covered social media platform may rely on any commercially reasonable process to resolve the dispute. A covered social media platform shall make a reasonable determination of the dispute within 30 days of the completion of that process. In the event a covered social media platform concludes, after considering a dispute, that the covered social media platform is obligated to terminate an account, it shall terminate that account within seven days of making that determination.

Subd. 7. **Verifiable parental consent; records.** A covered social media platform must retain documentation sufficient to reasonably establish that it has obtained verifiable parental consent as required under this section.

Subd. 8. **Contract provisions.** (a) Contracts formed in violation of this section are void and unenforceable. No part of this section may be waived in a contract or terms of service agreement.

(b) If a covered social media platform permits a child to open or continue an account on the platform in the absence of parental consent sufficient for the formation of a binding contract with a minor under ordinary principles of contract law under the laws of this state, any purported contract pertaining to the account is void and unenforceable as contrary to public policy, including but not limited to any arbitration provision, limitation of liability, or limitation of remedies, without regard to whether the covered social media platform had actual or constructive knowledge that the account holder was a child.

Subd. 9. **Enforcement; remedies.** (a) A child or parent shall have a private right of action for a violation of this section. The court may award declaratory or injunctive relief, general and special damages, court costs and fees, reasonable attorney fees, and any other appropriate relief as a result of a negligent, reckless, or knowing violation of this section.

(b) If a covered social media platform's violation was reckless or knowing, a child or parent who prevails on a claim based on any violation of this section shall be entitled to recover actual damages or $10,000 in statutory damages, whichever is greater.

(c) If a covered social media platform's violation was part of a consistent pattern of reckless or knowing conduct, punitive damages may be awarded.

(d) A covered social media platform shall not be liable for any violation of this section if it has used reasonable efforts, taking into consideration available technology and the data in possession of the covered social media platform, to comply with the requirements of this section.

(e) A civil action for damages for a violation of this section must be brought within three years of the date the plaintiff knew, or reasonably should have known, of the alleged violation. However, this limitation period for the action shall be tolled until the holder of an account of a child reaches the age of 18.

Subd. 10. **Deceptive trade practices.** Any knowing or reckless violation of this section shall constitute a deceptive trade practice and a violation of section 325D.44. The attorney general shall have enforcement authority under section 8.31.

EFFECTIVE DATE. This section is effective July 1, 2027, and applies to accounts created before, on, or after that date."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 4138 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Farnsworth	Johnson	Mathews	Rasmusson
Bahr	Fateh	Johnson Stewart	Maye Quade	Rest
Boldon	Frentz	Klein	McEwen	Seeberger
Carlson	Green	Koran	Miller	Utke
Champion	Gruenhagen	Kreun	Mohamed	Weber
Clark	Gustafson	Kunesh	Murphy	Wesenberg
Coleman	Hauschild	Kupec	Nelson	Westlin
Cwodzinski	Hawj	Lang	Oumou Verbeten	Westrom
Dahms	Heintzeman	Latz	Pappas	Wiklund
Dibble	Hemmingsen-Jaeger	Lieske	Pha	Xiong
Dornink	Holmstrom	Limmer	Port	
Draheim	Housley	Lucero	Pratt	
Drazkowski	Howe	Mann	Putnam	
Duckworth	Jasinski	Marty	Rarick	

Pursuant to Rule 40, Senator Oumou Verbeten cast the affirmative vote on behalf of the following Senators: Boldon, Carlson, Fateh, Johnson Stewart, Latz, Mann, Marty, Mohamed, Murphy, Pappas, Port, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Draheim, Gruenhagen, Housley, Howe, Johnson, Miller, and Rasmusson.

So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3067: A bill for an act relating to education; clarifying paraprofessional qualifications; amending Minnesota Statutes 2025 Supplement, section 121A.642, subdivision 4.

H.F. No. 3067 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Howe	Mann	Pratt
Bahr	Farnsworth	Jasinski	Marty	Putnam
Boldon	Fateh	Johnson	Mathews	Rarick
Carlson	Frentz	Johnson Stewart	Maye Quade	Rasmusson
Champion	Green	Klein	McEwen	Rest
Clark	Gruenhagen	Koran	Miller	Seeberger
Coleman	Gustafson	Kreun	Mohamed	Utke
Cwodzinski	Hauschild	Kunesh	Murphy	Weber
Dahms	Hawj	Kupec	Nelson	Wesenberg
Dibble	Heintzeman	Lang	Oumou Verbeten	Westlin
Dornink	Hemmingsen-Jaeger	Latz	Pappas	Westrom
Draheim	Holmstrom	Lieske	Pha	Wiklund
Drazkowski	Housley	Lucero	Port	Xiong

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senators: Carlson, Fateh, Mann, Marty, Maye Quade, Mohamed, Murphy, Oumou Verbeten, Pappas, Port, Rest, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Draheim, Gruenhagen, Housley, Howe, Johnson, Miller, Rasmusson, and Utke.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3236: A bill for an act relating to public safety; requiring helmets for operators of electric-assisted bicycles under the age of 18; imposing requirements on the operation and sale of motorized bicycles; establishing a motorized bicycle safety coordinator; appropriating money; amending Minnesota Statutes 2024, sections 169.011, subdivisions 40b, 44, 45; 169.02, subdivision 1; 169.09, subdivision 8; 169.222, subdivisions 1, 6a, 6b; 169.223; 169.974, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Senator Lucero moved to amend S.F. No. 3236 as follows (A11):

Page 4, delete section 7

Page 9, delete lines 22 to 24

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Howe	Limmer	Rasmusson
Bahr	Farnsworth	Jasinski	Lucero	Utke
Coleman	Green	Johnson	Mathews	Weber
Dahms	Gruenhagen	Koran	Miller	Wesenberg
Dornink	Heintzeman	Kreun	Nelson	Westrom
Draheim	Holmstrom	Lang	Pratt	
Drazkowski	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Draheim, Gruenhagen, Housley, Miller, and Rasmusson.

Those who voted in the negative were:

Boldon	Frentz	Kunesh	Mohamed	Rest
Carlson	Gustafson	Kupec	Murphy	Seeberger
Champion	Hauschild	Latz	Oumou Verbeten	Westlin
Clark	Hawj	Mann	Pappas	Wiklund
Cwodzinski	Hemmingsen-Jaeger	Marty	Pha	Xiong
Dibble	Johnson Stewart	Maye Quade	Port	
Fateh	Klein	McEwen	Putnam	

Pursuant to Rule 40, Senator Boldon cast the negative vote on behalf of the following Senators: Carlson, Fateh, Frentz, Hauschild, Mann, Marty, Mohamed, Murphy, Oumou Verbeten, Pappas, Port, Putnam, Rest, Wiklund, and Xiong.

The motion did not prevail. So the amendment was not adopted.

Senator Drazkowski moved to amend S.F. No. 3236 as follows (A12):

Page 8, delete section 10

Page 9, delete lines 13 to 15

Reletter the paragraphs in sequence

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Drazkowski moved to amend the Drazkowski (A12) amendment to S.F. No. 3236 as follows (A13):

Page 1, before line 2, insert:

"Page 5, after line 12, insert:

<u>(g) A person under the age of 18 must be wrapped in bubble wrap while operating an electric-assisted bicycle.</u>"

The question was taken on the adoption of the Drazkowski (A13) amendment to the Drazkowski (A12) amendment.

The roll was called, and there were yeas 1 and nays 64, as follows:

Those who voted in the affirmative were:

Wesenberg

Those who voted in the negative were:

Abeler	Duckworth	Howe	Lucero	Pratt
Bahr	Farnsworth	Jasinski	Mann	Putnam
Boldon	Fateh	Johnson	Marty	Rarick
Carlson	Frentz	Johnson Stewart	Mathews	Rasmusson
Champion	Green	Klein	Maye Quade	Rest
Clark	Gruenhagen	Koran	Miller	Seeberger
Coleman	Gustafson	Kreun	Mohamed	Utke
Cwodzinski	Hauschild	Kunesh	Murphy	Weber
Dahms	Hawj	Kupec	Nelson	Westlin
Dibble	Heintzeman	Lang	Oumou Verbeten	Westrom
Dornink	Hemmingsen-Jaeger	Latz	Pappas	Wiklund
Draheim	Holmstrom	Lieske	Pha	Xiong
Drazkowski	Housley	Limmer	Port	

Pursuant to Rule 40, Senator Boldon cast the negative vote on behalf of the following Senators: Carlson, Fateh, Hauschild, Latz, Mann, Marty, Maye Quade, Mohamed, Murphy, Oumou Verbeten, Pappas, Port, Putnam, Rest, Wiklund, and Xiong.

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Draheim, Gruenhagen, Housley, Miller, and Rasmusson.

The motion did not prevail. So the amendment to the amendment was not adopted.

The question was taken on the adoption of the Drazkowski (A12) amendment.

The roll was called, and there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Howe	Limmer	Rasmusson
Bahr	Farnsworth	Jasinski	Lucero	Utke
Coleman	Green	Johnson	Mathews	Weber
Dahms	Gruenhagen	Koran	Miller	Wesenberg
Dornink	Heintzeman	Kreun	Nelson	Westrom
Draheim	Holmstrom	Lang	Pratt	
Drazkowski	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Draheim, Gruenhagen, Housley, Johnson, Miller, Nelson, and Rasmusson.

Those who voted in the negative were:

Boldon	Frentz	Kunesh	Mohamed	Rest
Carlson	Gustafson	Kupec	Murphy	Seeberger
Champion	Hauschild	Latz	Oumou Verbeten	Westlin
Clark	Hawj	Mann	Pappas	Wiklund
Cwodzinski	Hemmingsen-Jaeger	Marty	Pha	Xiong
Dibble	Johnson Stewart	Maye Quade	Port	
Fateh	Klein	McEwen	Putnam	

Pursuant to Rule 40, Senator Boldon cast the negative vote on behalf of the following Senators: Carlson, Fateh, Hauschild, Hemmingsen-Jaeger, Latz, Mann, Marty, Mohamed, Murphy, Oumou Verbeten, Pappas, Port, Putnam, Rest, Wiklund, and Xiong.

The motion did not prevail. So the amendment was not adopted.

S.F. No. 3236 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Klein	McEwen	Putnam
Carlson	Gustafson	Kunesh	Mohamed	Rest
Champion	Hauschild	Kupec	Murphy	Seeberger
Clark	Hawj	Latz	Oumou Verbeten	Westlin
Cwodzinski	Hemmingsen-Jaeger	Mann	Pappas	Wiklund
Dibble	Hoffman	Marty	Pha	Xiong
Fateh	Johnson Stewart	Maye Quade	Port	

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senators: Carlson, Fateh, Hauschild, Hemmingsen-Jaeger, Hoffman, Latz, Mann, Marty, Oumou Verbeten, Pappas, Port, Putnam, Rest, Wiklund, and Xiong.

Those who voted in the negative were:

Abeler	Duckworth	Howe	Limmer	Rasmusson
Bahr	Farnsworth	Jasinski	Lucero	Utke
Coleman	Green	Johnson	Mathews	Weber
Dahms	Gruenhagen	Koran	Miller	Wesenberg
Dornink	Heintzeman	Kreun	Nelson	Westrom
Draheim	Holmstrom	Lang	Pratt	
Drazkowski	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Draheim, Gruenhagen, Housley, Miller, Nelson, and Rasmusson.

So the bill passed and its title was agreed to.

RECESS

Senator Murphy moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills, and Second Reading of House Bills.

REPORTS OF COMMITTEES

Senator Maye Quade moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Marty from the Committee on Finance, to which was re-referred

S.F. No. 390: A bill for an act relating to capital investment; appropriating money for the safe routes to school grant program; authorizing the sale and issuance of state bonds.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Marty from the Committee on Finance, to which was re-referred

S.F. No. 2827: A bill for an act relating to capital investment; renaming the library construction grant program; appropriating money for library construction grants; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2024, section 134.45.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Marty from the Committee on Finance, to which was referred

H.F. No. 3825: A bill for an act relating to public safety; requiring judge to inquire whether victim has been notified of plea and sentencing hearings; protecting victim from identification in prosecutor's petition for sentence adjustment; expanding victim notification of defendant eligibility for automatic expungement; protecting identity of minor victim in a crime involving sexual performance; expanding protection from employer retaliation to victims of stalking; amending Minnesota Statutes 2024, sections 609.133, subdivision 4; 609.3471; 611A.03, subdivision 1, by adding a subdivision; 611A.036, subdivision 7; 611A.038; 611A.039, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

ACUPUNCTURE AND HERBAL MEDICINE PRACTICE

Section 1. Minnesota Statutes 2024, section 146A.01, subdivision 4, is amended to read:

Subd. 4. **Complementary and alternative health care practices.** (a) "Complementary and alternative health care practices" means the broad domain of complementary and alternative healing methods and treatments, including but not limited to: (1) acupressure; (2) anthroposophy; (3) aroma therapy; (4) ayurveda; (5) cranial sacral therapy; (6) culturally traditional healing practices; (7) detoxification practices and therapies; (8) energetic healing; (9) polarity therapy; (10) folk practices; (11) healing practices utilizing food, food supplements, nutrients, and the physical forces of heat, cold, water, touch, and light; (12) Gerson therapy and colostrum therapy; (13) healing touch; (14) herbology or herbalism; (15) homeopathy; (16) nondiagnostic iridology; (17) body work, massage, and massage therapy; (18) meditation; (19) mind-body healing practices; (20) naturopathy; (21) noninvasive instrumentalities; and (22) traditional ~~Oriental~~ practices, such as Qi Gong energy healing.

(b) Complementary and alternative health care practices do not include surgery, x-ray radiation, administering or dispensing legend drugs and controlled substances, practices that invade the human body by puncture of the skin, setting fractures, the use of medical devices as defined in section

147A.01, any practice included in the practice of dentistry as defined in section 150A.05, subdivision 1, or the manipulation or adjustment of articulations of joints or the spine as described in section 146.23 or 148.01.

(c) Complementary and alternative health care practices do not include practices that are permitted under section 147.09, clause (11), or 148.271, clause (5).

(d) This chapter does not apply to, control, prevent, or restrict the practice, service, or activity of lawfully marketing or distributing food products, including dietary supplements as defined in the federal Dietary Supplement Health and Education Act, educating customers about such products, or explaining the uses of such products. Under Minnesota law, an unlicensed complementary and alternative health care practitioner may not provide a medical diagnosis or recommend discontinuance of medically prescribed treatments.

Sec. 2. Minnesota Statutes 2024, section 147B.01, is amended by adding a subdivision to read:

Subd. 2a. **Acupuncture.** "Acupuncture" means a unique treatment technique that uses modern and traditional medical methods of diagnosis and treatment. Acupuncture includes the insertion of filiform or acupuncture needles through the skin and may include the use of other biophysical methods of acupuncture point stimulation, including the use of heat, massage, or manual therapy techniques or electrical stimulation. Acupuncture includes but is not limited to therapies termed "dry needling," "trigger point therapy," "intramuscular therapy," "auricular detox treatment," and similar terms referring to the insertion of needles past the skin for pain management, disease or symptom modification, or other related treatments.

Sec. 3. Minnesota Statutes 2024, section 147B.01, subdivision 3, is amended to read:

Subd. 3. **Acupuncture and herbal medicine practice.** "Acupuncture and herbal medicine practice" means a unique and comprehensive system of health care ~~using Oriental medical theory and its unique methods of diagnosis and treatment. Its treatment techniques include the insertion of acupuncture needles through the skin and the use of other biophysical methods of acupuncture point stimulation, including the use of heat, Oriental massage techniques, electrical stimulation, herbal supplemental therapies, dietary guidelines, breathing techniques, and exercise based on Oriental medical principles~~ that uses traditional and modern diagnosis, methodology, and treatment techniques based on acupuncture and herbal medicine theory, principles, and methods. Treatment techniques include but are not limited to acupuncture, cupping, dermal friction, therapeutic massage, herbal therapies, dietary guidelines, mind-body exercises, and other appropriate techniques.

Sec. 4. Minnesota Statutes 2024, section 147B.01, subdivision 4, is amended to read:

Subd. 4. **Acupuncture needle.** "Acupuncture needle" means a needle designed exclusively for ~~acupuncture~~ the purposes of insertion past the skin to alleviate pain, provide symptom relief, or modulate disease processes. It has a solid core, with a tapered point, and is 0.12 mm to 0.45 mm in thickness. It is constructed of stainless steel, gold, silver, or other board-approved materials as long as the materials can be sterilized according to recommendations of the National Centers for Disease Control and Prevention.

Sec. 5. Minnesota Statutes 2024, section 147B.01, subdivision 5, is amended to read:

Subd. 5. **Acupuncture points.** "Acupuncture points" means specific anatomically described locations as defined by the recognized acupuncture reference texts. These texts are listed in the study guide to the examination for the ~~NCCAOM~~ NCBAHM certification exam.

Sec. 6. Minnesota Statutes 2024, section 147B.01, subdivision 9, is amended to read:

Subd. 9. **Breathing techniques.** "Breathing techniques" means ~~Oriental~~ breathing exercises taught to a patient as part of a treatment plan.

Sec. 7. Minnesota Statutes 2024, section 147B.01, subdivision 12, is amended to read:

Subd. 12. **Diplomate in acupuncture.** "Diplomate in acupuncture" means a person who is certified by the ~~NCCAOM~~ NCBAHM as having met the standards of competence established by the ~~NCCAOM~~ NCBAHM, who subscribes to the ~~NCCAOM~~ NCBAHM code of ethics, and who has a current and active ~~NCCAOM~~ NCBAHM certificate. Current and active ~~NCCAOM~~ NCBAHM certification indicates successful completion of continued professional development and previous satisfaction of ~~NCCAOM~~ NCBAHM requirements.

Sec. 8. Minnesota Statutes 2024, section 147B.01, subdivision 14, is amended to read:

Subd. 14. **Herbal therapies or herbal medicine.** "Herbal therapies" ~~are~~ or "herbal medicine" means the use of herbs and patent herbal remedies as supplements as part of the treatment plan of the patient.

Sec. 9. Minnesota Statutes 2024, section 147B.01, is amended by adding a subdivision to read:

Subd. 14a. **Low-level or cold laser.** "Low-level or cold laser" means a laser classified as a Class IIIa laser used for stimulation of acupuncture points or channels.

Sec. 10. Minnesota Statutes 2024, section 147B.01, is amended by adding a subdivision to read:

Subd. 14b. **Low-level or cold laser acupuncture.** "Low-level or cold laser acupuncture" means acupuncture performed by using a low-level or cold laser to stimulate acupuncture points or channels.

Sec. 11. Minnesota Statutes 2024, section 147B.01, subdivision 16, is amended to read:

Subd. 16. ~~**NCCAOM**~~ **NCBAHM.** "~~NCCAOM~~ NCBAHM" means the National Certification ~~Commission for Acupuncture and Oriental Medicine~~ Board for Acupuncture and Herbal Medicine, a not-for-profit corporation organized under section ~~501(c)(4)~~ 501(c)(6) of the Internal Revenue Code.

Sec. 12. Minnesota Statutes 2024, section 147B.01, subdivision 16a, is amended to read:

Subd. 16a. ~~**NCCAOM**~~ **NCBAHM certification.** "~~NCCAOM~~ NCBAHM certification" means a certification granted by the ~~NCCAOM~~ NCBAHM to a person who has met the standards of competence established for either ~~NCCAOM~~ NCBAHM certification in acupuncture or ~~NCCAOM~~ NCBAHM certification in ~~Oriental~~ herbal medicine.

Sec. 13. Minnesota Statutes 2024, section 147B.02, subdivision 4, is amended to read:

Subd. 4. **Exceptions.** (a) The following persons may practice acupuncture within the scope of their practice without an acupuncture license:

(1) a physician licensed under chapter 147;

(2) an osteopathic physician licensed under chapter 147;

(3) a chiropractor licensed under chapter 148;

(4) a person who is studying in a formal course of study so long as the person's acupuncture and herbal medicine practice is supervised by a licensed acupuncturist or a person who is exempt under clause (5);

(5) a visiting acupuncturist practicing acupuncture within an instructional setting for the sole purpose of teaching at a school registered with the Minnesota Office of Higher Education, who may practice without a license for a period of one year, with two one-year extensions permitted; and

(6) a visiting acupuncturist who is in the state for the sole purpose of providing a tutorial or workshop not to exceed 30 days in one calendar year.

(b) This chapter does not prohibit a person who does not have an acupuncturist license from practicing specific noninvasive techniques, such as acupressure, that are within the scope of practice as set forth in section 147B.06, subdivision 4.

Sec. 14. Minnesota Statutes 2025 Supplement, section 147B.02, subdivision 7, is amended to read:

Subd. 7. **Licensure requirements.** (a) An applicant for licensure must:

(1) submit a completed application for licensure on forms provided by the board, which must include the applicant's name and address of record, which shall be public;

(2) unless licensed under subdivision 6, submit evidence satisfactory to the board of current ~~NCCAOM~~ NCBAHM certification;

(3) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(4) submit with the application all fees required; and

(5) sign a waiver authorizing the board to obtain access to the applicant's records in this state or any state in which the applicant has engaged in the practice of acupuncture.

(b) The board may ask the applicant to provide any additional information necessary to ensure that the applicant is able to practice with reasonable skill and safety to the public.

(c) The board may investigate information provided by an applicant to determine whether the information is accurate and complete. The board shall notify an applicant of action taken on the application and the reasons for denying licensure if licensure is denied.

Sec. 15. Minnesota Statutes 2025 Supplement, section 147B.02, subdivision 9, is amended to read:

Subd. 9. **Renewal.** (a) To renew a license an applicant must:

(1) annually, or as determined by the board, complete a renewal application on a form provided by the board;

(2) submit the renewal fee;

(3) provide documentation of current and active ~~NCCAOM~~ NCBAHM certification; or

(4) if licensed under subdivision 6, meet the same ~~NCCAOM~~ NCBAHM professional development activity requirements as those licensed under subdivision 7.

(b) An applicant shall submit any additional information requested by the board to clarify information presented in the renewal application. The information must be submitted within 30 days after the board's request, or the renewal request is nullified.

(c) An applicant must maintain a correct mailing address with the board for receiving board communications, notices, and license renewal documents. Placing the license renewal application in first-class United States mail, addressed to the applicant at the applicant's last known address with postage prepaid, constitutes valid service. Failure to receive the renewal documents does not relieve an applicant of the obligation to comply with this section.

(d) The name of an applicant who does not return a complete license renewal application, annual license fee, or late application fee, as applicable, within the time period required by this section shall be removed from the list of individuals authorized to practice during the current renewal period. If the applicant's license is reinstated, the applicant's name shall be placed on the list of individuals authorized to practice.

Sec. 16. Minnesota Statutes 2024, section 147B.02, subdivision 12, is amended to read:

Subd. 12. **Inactive status.** (a) A license may be placed in inactive status upon application to the board and upon payment of an inactive status fee. The board may not renew or restore a license that has lapsed and has not been renewed within two annual license renewal cycles.

(b) An inactive license may be reactivated by the license holder upon application to the board. A licensee whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all the requirements then in existence for the initial license to practice acupuncture in the state of Minnesota. The application must include:

(1) evidence of current and active ~~NCCAOM~~ NCBAHM certification;

(2) evidence of the certificate holder's payment of an inactive status fee;

(3) an annual fee; and

(4) all back fees since previous renewal.

(c) A person licensed under subdivision 5 who has allowed the license to reach inactive status must become ~~NCCAOM~~ NCBAHM certified.

Sec. 17. Minnesota Statutes 2024, section 147B.03, subdivision 1, is amended to read:

Subdivision 1. ~~**NCCAOM**~~ **NCBAHM requirements.** Unless a person is licensed under section 147B.02, subdivision 6, each licensee is required to meet the ~~NCCAOM~~ NCBAHM professional development activity requirements to maintain ~~NCCAOM~~ NCBAHM certification. These requirements may be met through a board approved continuing education program.

Sec. 18. Minnesota Statutes 2024, section 147B.03, subdivision 2, is amended to read:

Subd. 2. **Board approval.** The board shall approve a continuing education program if the program meets the following requirements:

(1) it directly relates to the practice of acupuncture;

(2) each member of the faculty shows expertise in the subject matter by holding a degree or certificate from an educational institution, has verifiable experience in ~~traditional Oriental~~ acupuncture and herbal medicine, or has special training in the subject area;

(3) the program lasts at least one contact hour;

(4) there are specific written objectives describing the goals of the program for the participants; and

(5) the program sponsor maintains attendance records for four years.

Sec. 19. Minnesota Statutes 2024, section 147B.03, subdivision 3, is amended to read:

Subd. 3. **Continuing education topics.** (a) Continuing education program topics may include~~,~~ but are not limited to~~, Oriental medical~~ acupuncture and herbal medicine theory and techniques including ~~Oriental~~ massage; ~~Oriental~~ nutrition; ~~Oriental~~ herbology and diet therapy; ~~Oriental~~ exercise; ~~western sciences such as~~ anatomy, physiology, biochemistry, microbiology, psychology, ~~nutrition,~~ and history of medicine; and medical terminology or coding.

(b) Practice management courses are excluded under this section.

Sec. 20. Minnesota Statutes 2024, section 147B.03, subdivision 4, is amended to read:

Subd. 4. **Verification.** The board shall periodically select a random sample of acupuncturists and require the acupuncturist to show evidence of having completed the ~~NCCAOM~~ NCBAHM professional development activities requirements. Either the acupuncturist, the state, or the national organization that maintains continuing education records may provide the board documentation of the continuing education program.

Sec. 21. Minnesota Statutes 2024, section 147B.05, subdivision 1, is amended to read:

Subdivision 1. **Creation.** The advisory council to the Board of Medical Practice for acupuncture consists of seven members appointed by the board to three-year terms. Four members must be

~~licensed~~ acupuncture practitioners licensed in Minnesota, one member must be a licensed physician or osteopathic physician who also practices acupuncture, one member must be a licensed chiropractor who is ~~NCCAOM~~ NCBAHM certified, and one member must be a member of the public who has received acupuncture treatment as a primary therapy from a ~~NCCAOM~~ NCBAHM certified acupuncturist.

Sec. 22. Minnesota Statutes 2024, section 147B.05, subdivision 3, is amended to read:

Subd. 3. **Duties.** The advisory council shall:

(1) advise the board on issuance, denial, renewal, suspension, revocation, conditioning, or restricting of licenses to practice acupuncture;

(2) advise the board on issues related to receiving, investigating, conducting hearings, and imposing disciplinary action in relation to complaints against acupuncture practitioners;

(3) maintain a register of acupuncture practitioners licensed under section 147B.02;

(4) maintain a record of all advisory council actions;

(5) prescribe registration application forms, license forms, protocol forms, and other necessary forms;

(6) review the patient visit records submitted by applicants during the transition period;

(7) advise the board regarding standards for acupuncturists;

(8) distribute information regarding acupuncture and herbal medicine practice standards;

(9) review complaints;

(10) advise the board regarding continuing education programs;

(11) review the investigation of reports of complaints and recommend to the board whether disciplinary action should be taken; and

(12) perform other duties authorized by advisory councils under chapter 214, as directed by the board.

Sec. 23. Minnesota Statutes 2024, section 147B.06, subdivision 1, is amended to read:

Subdivision 1. **Practice standards.** (a) Before treatment of a patient, an acupuncture practitioner shall ask whether the patient has been examined by a licensed physician or other professional, as defined by section 145.61, subdivision 2, with regard to the patient's illness or injury, and shall review the diagnosis as reported.

(b) The practitioner shall obtain informed consent from the patient, after advising the patient of the following information which must be supplied to the patient ~~in writing~~ before or at the time of the initial visit:

(1) the practitioner's qualifications including:

(i) education;

(ii) license information; and

(iii) outline of the scope of practice of acupuncturists in Minnesota; and

(2) side effects which may include the following:

(i) some pain in the treatment area;

(ii) minor bruising;

(iii) infection;

(iv) needle sickness; or

(v) broken needles.

(c) The practitioner shall obtain acknowledgment by the patient in writing that the patient has been advised to consult with the patient's primary care physician about the acupuncture treatment if the patient circumstances warrant or the patient chooses to do so.

(d) The practitioner shall inquire whether the patient has a pacemaker or bleeding disorder.

Sec. 24. Minnesota Statutes 2025 Supplement, section 147B.06, subdivision 4, is amended to read:

Subd. 4. **Scope of practice.** (a) The scope of practice of acupuncture and herbal medicine includes~~,~~ but is not limited to~~,~~ the following:

(1) ~~using Oriental medical theory to assess and diagnose a patient; and~~ evaluation, management, and treatment services using methods and techniques described in section 147B.01, subdivisions 2a, 3, and 14;

(2) ~~using Oriental medical theory to develop a plan to treat a patient. The treatment techniques that may be chosen include:~~ diagnostic examination, testing, and procedures, including physical examination, basic diagnostic imaging, and basic laboratory or other diagnostic tests for the purposes of guiding treatment within the scope of practice of acupuncture, herbal medicine, and herbal therapies, as described in section 147B.01, subdivisions 2a, 3, and 14. When results fall outside of the education, training, and expertise of a licensed acupuncturist, or suggest serious or emergent conditions, the acupuncturist must facilitate referrals to other appropriate health care providers;

~~(i) insertion of sterile acupuncture needles through the skin;~~

~~(ii) acupuncture stimulation including, but not limited to, electrical stimulation or the application of heat;~~

~~(iii) cupping;~~

~~(iv) dermal friction;~~

~~(v) acupressure;~~

~~(vi) herbal therapies;~~

~~(vii) dietary counseling based on traditional Chinese medical principles;~~

~~(viii) breathing techniques;~~

~~(ix) exercise according to Oriental medical principles; or~~

~~(x) Oriental massage.~~

(3) services included in acupuncture and herbal medicine practice;

(4) stimulation of acupuncture points, areas of the body, or substances in the body using acupuncture needles, heat, color, light, infrared and ultraviolet, low-level or cold lasers, sound, vibration, pressure, magnetism, electricity, electromagnetic energy, suction, or other devices in accordance with the training of an acupuncture practitioner;

(5) use of physical medicine modalities, procedures, and devices, including but not limited to cupping, dermal friction, acupressure, and massage, as described in section 147B.01, subdivisions 2a, 3, and 14;

(6) use of therapeutic exercises, breathing techniques, meditation, and biofeedback devices and other devices that utilize heat, color, light, infrared and ultraviolet, low-level or cold lasers, sound, vibration, pressure, magnetism, electricity, and electromagnetic energy for therapeutic purposes; and

(7) general dietary guidance that is provided for wellness and supportive purposes and that is consistent with the education and training of an acupuncture practitioner.

(b) Low-level or cold laser acupuncture must only be performed in accordance with all relevant acupuncture accreditation standards and federal laws, including Food and Drug Administration rules and regulations.

(c) Low-level or cold laser acupuncture performed on a patient's head must be outside the orbital rim.

Sec. 25. Minnesota Statutes 2024, section 147B.06, subdivision 5, is amended to read:

Subd. 5. **Patient records.** An acupuncturist shall maintain a patient record for each patient treated, including:

(1) a copy of the informed consent;

(2) evidence of a patient interview concerning the patient's medical history and current physical condition;

(3) evidence of ~~a traditional acupuncture~~ examination and diagnosis;

(4) record of the treatment including points treated; and

(5) evidence of evaluation and instructions given to the patient.

Sec. 26. Minnesota Statutes 2024, section 147B.06, is amended by adding a subdivision to read:

Subd. 8. **Licensed health care professionals.** Nothing in section 147B.01, subdivision 2a, shall be construed to expand or restrict the existing scope of practice of other licensed health care professionals.

Sec. 27. **REPEALER.**

Minnesota Statutes 2024, section 147B.01, subdivision 18, is repealed.

ARTICLE 2

ATHLETIC TRAINER PRACTICE

Section 1. Minnesota Statutes 2024, section 148.7802, subdivision 6, is amended to read:

Subd. 6. **Athletic trainer.** "Athletic trainer" means a person who engages in athletic training under section 148.7806 and is licensed under section 148.7808. Athletic trainers practice in health care settings and serve patient populations as identified by the Board of Certification for the Athletic Trainer or its recognized successor and by approved education programs.

Sec. 2. Minnesota Statutes 2024, section 148.7802, is amended by adding a subdivision to read:

Subd. 6a. **Athletic training.** "Athletic training" means the following actions performed for the purpose of treating emergent, acute, and chronic injuries and nonorthopedic conditions and performed within the professional training and experience provided by an approved education program and included in an athletic trainer credentialing examination:

(1) risk reduction, wellness, and health literacy;

(2) assessment, evaluation, and diagnosis;

(3) critical incident management;

(4) therapeutic intervention; and

(5) health care administration and professional responsibility.

Sec. 3. Minnesota Statutes 2024, section 148.7806, is amended to read:

148.7806 ATHLETIC TRAINING.

~~Athletic training by a licensed athletic trainer under section 148.7808 includes the activities described in paragraphs (a) to (c).~~

(a) An athletic trainer shall~~:~~ perform athletic training under the supervision of, on the prescription of, and in collaboration with, a primary physician:

(1) who is licensed in Minnesota to practice medicine, as defined in section 147.081; and

(2) whose license is in good standing.

~~(1) prevent, recognize, and evaluate athletic injuries;~~

~~(2) give emergency care and first aid;~~

~~(3) manage and treat athletic injuries; and~~

~~(4) rehabilitate and physically recondition athletic injuries.~~

~~The~~ (b) An athletic trainer ~~may use modalities such as cold, heat, light, sound, electricity, exercise, and mechanical devices~~ must use therapeutic interventions within the training and experience of the athletic trainer according to section 148.7802, subdivision 6a for the treatment and rehabilitation of ~~athletic injuries to athletes in the primary employment site~~ patients.

~~(b)~~ (c) The primary physician shall establish evaluation and treatment protocols to be used by the athletic trainer. The primary physician shall record the protocols on a form prescribed by the board. The protocol form must be updated yearly at the athletic trainer's license renewal time and kept on file by the athletic trainer.

~~(c)~~ (d) At the primary employment site, ~~except in a corporate setting,~~ an athletic trainer may evaluate and treat ~~an athlete for an athletic injury~~ a patient who was not previously diagnosed for not more than 30 days~~, or a period of time as designated by the primary physician on the protocol form,~~ from the date of the initial evaluation and treatment. ~~Preventative care after resolution of the injury is~~ Prevention, wellness, education, exercise, and reconditioning are not considered treatment. This paragraph does not apply to a person who is referred for treatment by a person licensed in this state to practice medicine as defined in section 147.081~~,~~; to practice chiropractic as defined in section 148.01~~,~~; to practice physical therapy as defined in section 148.65, except as provided in paragraph (f); to practice podiatry as defined in section 153.01~~,~~; or to practice dentistry as defined in section 150A.05, and whose license is in good standing.

~~(d)~~ (e) An athletic trainer ~~may~~:

(1) may organize and administer an athletic training program, including~~,~~ but not limited to~~,~~ educating and counseling ~~athletes~~ patients;

(2) must monitor the signs, symptoms, general behavior, and general physical response of ~~an athlete~~ a patient to treatment and rehabilitation, including~~,~~ but not limited to~~,~~ whether the signs, symptoms, reactions, behavior, or general response show abnormal characteristics that require a change in the plan of care or a referral; and

(3) must make suggestions to the primary physician or other treating provider for a modification in the treatment and rehabilitation of ~~an injured athlete~~ a patient based on the indicators in clause (2).

~~(e)~~ (f) In a clinical, corporate, and physical therapy setting, when the service provided is, or is represented as being, physical therapy, an athletic trainer may work only under the direct supervision of a physical therapist as defined in section 148.65.

Sec. 4. Minnesota Statutes 2024, section 148.7807, is amended to read:

148.7807 LIMITATIONS ON PRACTICE.

(a) An athletic trainer must not practice or claim to practice medicine as defined in section 147.081; acupuncture as defined in section 147B.01; chiropractic as defined in section 148.01; physical therapy as defined in section 148.65, except as provided under section 148.7806, paragraph (f); podiatry as defined in section 153.01; occupational therapy as defined in section 148.6404; or any other licensed or registered health care profession, unless the athletic trainer also holds the appropriate license or registration to practice that profession.

(b) If an athletic trainer determines that a patient's medical condition is ~~beyond~~ outside the scope of practice of that athletic trainer, the athletic trainer must refer the patient to a person licensed in this state to practice medicine as defined in section 147.081~~,~~; to practice chiropractic as defined in section 148.01~~,~~; to practice physical therapy as defined in section 148.65, except as provided under section 148.7806, paragraph (f); to practice podiatry as defined in section 153.01~~,~~; or to practice dentistry as defined in section 150A.05, and whose license is in good standing and in accordance with established evaluation and treatment protocols. An athletic trainer shall modify or terminate treatment of a patient that is not beneficial to the patient, or that is not tolerated by the patient.

Sec. 5. Minnesota Statutes 2024, section 148.7814, is amended to read:

148.7814 APPLICABILITY.

Sections 148.7801 to 148.7815 do not apply to ~~persons who are certified as~~ an athletic ~~trainers~~ trainer who is in Minnesota temporarily with an individual or group that is participating in a specific athletic event or series of athletic events if the athletic trainer is licensed, certified, or registered by another state or county, or is certified as an athletic trainer by the Board of Certification or the board's recognized successor ~~and come into Minnesota for a specific athletic event or series of athletic events with an individual or group~~.

Sec. 6. **REPEALER.**

Minnesota Statutes 2024, section 148.7802, subdivisions 4 and 5, are repealed.

ARTICLE 3

MASSAGE THERAPY AND ASIAN BODYWORK THERAPY REGISTRATION

Section 1. Minnesota Statutes 2024, section 144.0572, subdivision 1, is amended to read:

Subdivision 1. **Criminal history background check requirements.** (a) ~~Beginning January 1, 2018,~~ An applicant for initial licensure, temporary licensure, or relicensure after a lapse in licensure as an audiologist ~~or~~, a speech-language pathologist, or a speech-language pathology assistant~~,~~; an applicant for initial massage therapist or Asian bodywork therapist registration; or an applicant for initial certification as a hearing instrument dispenser, must submit to a criminal history records check of state data completed by the Bureau of Criminal Apprehension (BCA) and a national criminal history records check, including a search of the records of the Federal Bureau of Investigation (FBI).

(b) Beginning January 1, 2020, an applicant for a renewal license or certificate as an audiologist, speech-language pathologist, or hearing instrument dispenser who was licensed or obtained a

certificate before January 1, 2018, must submit to a criminal history records check of state data completed by the BCA and a national criminal history records check, including a search of the records of the FBI.

(c) An applicant must submit to a background study under chapter 245C.

(d) The criminal history records check must be structured so that any new crimes that an applicant ~~or~~, licensee, registrant, or certificate holder commits after the initial background check are flagged in the BCA's or FBI's database and reported back to the commissioner of human services.

Sec. 2. Minnesota Statutes 2024, section 146A.06, subdivision 3, is amended to read:

Subd. 3. **Exchanging information.** (a) The office shall establish internal operating procedures for:

(1) exchanging information with state boards; agencies, including the Office of Ombudsman for Mental Health and Developmental Disabilities; health-related and law enforcement facilities; departments responsible for licensing health-related occupations, facilities, and programs; and law enforcement personnel in this and other states; and

(2) coordinating investigations involving matters within the jurisdiction of more than one regulatory agency.

(b) The procedures for exchanging information must provide for the forwarding to the entities described in paragraph (a), clause (1), of information and evidence, including the results of investigations, that are relevant to matters within the regulatory jurisdiction of the organizations in paragraph (a). The data have the same classification in the hands of the agency receiving the data as they have in the hands of the agency providing the data.

(c) The office shall establish procedures for exchanging information with other states regarding disciplinary action against unlicensed complementary and alternative health care practitioners.

(d) The office shall forward to another governmental agency any complaints received by the office that do not relate to the office's jurisdiction but that relate to matters within the jurisdiction of the other governmental agency. The agency to which a complaint is forwarded shall advise the office of the disposition of the complaint. A complaint or other information received by another governmental agency relating to a statute or rule that the office is empowered to enforce must be forwarded to the office to be processed in accordance with this section.

(e) The office shall furnish to a person who made a complaint a description of the actions of the office relating to the complaint.

(f) Effective July 1, 2028, upon request by the commissioner, the office must share all complaint, investigatory, and disciplinary data regarding a named individual who has practiced or is practicing massage therapy or Asian bodywork therapy as an unlicensed complementary and alternative health care practitioner.

Sec. 3. Minnesota Statutes 2024, section 146A.09, is amended by adding a subdivision to read:

Subd. 8. **Registered massage therapists and Asian bodywork therapists.** Effective July 1, 2028, a person whose registration as a massage therapist or Asian bodywork therapist under sections 148.636 to 148.6377 has been suspended or revoked by the commissioner of health must not practice as an unlicensed complementary and alternative health care practitioner under this chapter during a period of suspension or revocation.

Sec. 4. **[148.636] CITATION.**

Sections 148.636 to 148.6377 may be cited as the "Minnesota Massage Therapy and Asian Bodywork Therapy Act."

Sec. 5. **[148.6361] DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of sections 148.636 to 148.6377, the terms defined in this section have the meanings given unless the context clearly indicates otherwise.

Subd. 2. **Advisory council.** "Advisory council" means the Massage Therapy Advisory Council established under section 148.6376.

Subd. 3. **Applicant.** "Applicant" means an individual who has submitted an application to the commissioner according to sections 148.636 to 148.6377.

Subd. 4. **Asian bodywork therapy.** (a) "Asian bodywork therapy" means therapy based upon Chinese medical principles with the intent of promoting, maintaining, and restoring health and well-being by affecting the body.

(b) Asian bodywork therapy may use any of the following techniques:

(1) pressing;

(2) soothing;

(3) kneading;

(4) vibration;

(5) friction;

(6) passive stretching within the client's physiological range of motion;

(7) active assistive and resistive movement;

(8) stretching; and

(9) tapping, movement, exercising, or manipulation of the soft tissues.

(c) Methods of assessment and evaluation for Asian bodywork therapy must include a health history and intake interview; observation; listening; questioning; palpation; and with the client's permission or if the client is a minor, the permission of the client's legal guardian or parent, consultation with the client's other health care providers.

Subd. 5. **Client.** "Client" means a recipient of massage therapy services or Asian bodywork therapy services.

Subd. 6. **Commissioner.** "Commissioner" means the commissioner of health.

Subd. 7. **Contact hours.** "Contact hours" means the number of hours during which a student is engaged in learning activities provided by a training program approved by the advisory council. Contact hours include synchronous or asynchronous distance learning and in-person learning.

Subd. 8. **Credentialing examination.** "Credentialing examination" means an examination approved by the commissioner that meets recognized psychometric principles and standards and is administered by a national testing organization.

Subd. 9. **Massage therapy.** (a) "Massage therapy" means the manual manipulation of the soft tissues of the body to promote, maintain, and restore health and well-being.

(b) Massage therapy may use any of the following techniques:

(1) stroking;

(2) gliding;

(3) lifting;

(4) kneading;

(5) jostling;

(6) vibration;

(7) percussion;

(8) compression;

(9) friction;

(10) holding;

(11) passive stretching within the client's physiological range of motion;

(12) movement or manipulation of the soft tissues;

(13) active assistive and resistive movement; and

(14) stretching.

(c) Methods of assessment for massage therapy must include a health history and intake interview; observation of posture and movement; palpation; range of motion assessment; and with the client's permission or if the client is a minor, the permission of the client's legal guardian or parent, consultation with the client's other health care providers.

Subd. 10. **Municipality.** "Municipality" means a county, town, or home rule charter or statutory city.

Subd. 11. **Registered Asian bodywork therapist.** "Registered Asian bodywork therapist" means an individual who meets the qualifications in sections 148.636 to 148.6377 to use the protected titles for Asian bodywork therapists under section 148.6364 and is registered with the commissioner.

Subd. 12. **Registered massage therapist.** "Registered massage therapist" means an individual who meets the qualifications in sections 148.636 to 148.6377 to use the protected titles for massage therapists under section 148.6364 and is registered with the commissioner.

Subd. 13. **Registrant.** "Registrant" means an individual registered with the commissioner under sections 148.636 to 148.6377.

Sec. 6. **[148.6362] DUTIES OF THE COMMISSIONER.**

The commissioner shall:

(1) issue registrations to qualified applicants according to sections 148.636 to 148.6377;

(2) adopt rules, including standards of practice and a professional code of ethics, necessary to implement sections 148.636 to 148.6377;

(3) assign duties to the advisory council that are necessary to implement sections 148.636 to 148.6377;

(4) approve a credentialing examination;

(5) enforce sections 148.636 to 148.6377 and investigate violations of sections 148.636 to 148.6377 by a registrant or applicant;

(6) impose disciplinary action as described in section 148.6370;

(7) maintain a record of names and addresses of registrants; and

(8) distribute information regarding massage therapy and Asian bodywork therapy standards, including applications and forms necessary to carry out sections 148.636 to 148.6377.

Sec. 7. **[148.6363] LIMITATIONS ON PRACTICE.**

Subdivision 1. **Limitations.** The practice of massage therapy and Asian bodywork therapy does not include:

(1) performing examinations for the purpose of diagnosis;

(2) providing treatments that are outside the scope of massage therapy or Asian bodywork therapy practice;

(3) attempts to adjust, manipulate, or mobilize any articulation of the body or spine by the use of high-velocity, low-amplitude thrusting force;

(4) attempts to stimulate various points of the body by needle insertion or interruption of the cutaneous integrity by needle insertion to secure therapeutic relief of symptoms;

(5) prescriptive exercise;

(6) manual or mechanical traction when applied to the spine or extremities for the purposes of joint mobilization or manipulation;

(7) injection therapy;

(8) laser therapy;

(9) microwave diathermy;

(10) electrical stimulation;

(11) ultrasound;

(12) iontophoresis; or

(13) phonophoresis.

Subd. 2. **Referrals to other health care providers.** If a registered massage therapist or Asian bodywork therapist finds a client's medical condition is beyond the scope of practice established by sections 148.636 to 148.6377 for a registered massage therapist or Asian bodywork therapist, the therapist must refer the client to a licensed health care provider. Nothing in this subdivision prohibits the registered massage therapist or Asian bodywork therapist from continuing to comanage a client's care.

Sec. 8. **[148.6364] PROTECTED TITLES AND RESTRICTIONS ON USE.**

Effective January 1, 2028, no person shall use any of the terms or titles "registered massage therapist," "RMT," "registered Asian bodywork therapist," "RABT," or any other term or title that may lead the public to believe the person is a registered massage therapist or registered Asian bodywork therapist, unless the person is registered under sections 148.636 to 148.6377.

Sec. 9. **[148.6365] EXEMPTIONS; OTHER HEALTH CARE PROVIDERS.**

Subdivision 1. **Other professions.** Nothing in sections 148.636 to 148.6377 shall be construed to prohibit, restrict, or regulate the practice of any profession or occupation licensed or registered in the state by an individual licensed or registered to practice the profession or occupation or to perform any act that falls within the scope of practice of the profession or occupation.

Subd. 2. **Complementary and alternative health care practitioner.** Nothing in sections 148.636 to 148.6377 shall be construed to prohibit, restrict, or regulate the practice of any individual who is engaged in providing complementary and alternative health care practices as defined in section 146A.01, subdivision 4, provided that the practitioner does not use a protected title under section 148.6364 or advertise or imply that the practitioner is registered under sections 148.636 to 148.6377.

Sec. 10. **[148.6366] REQUIREMENTS FOR REGISTRATION.**

Subdivision 1. **General registration requirements.** (a) To be eligible for registration as a massage therapist or Asian bodywork therapist according to sections 148.636 to 148.6377, an applicant must submit to the commissioner:

(1) a completed application on a form provided by the commissioner that includes:

(i) the applicant's name, Social Security number, home address and telephone number, and business address and telephone number;

(ii) a list of credentials held by the applicant in this state or in any other jurisdiction;

(iii) a description of any jurisdiction's refusal to license or credential the applicant;

(iv) a description of all professional disciplinary actions initiated against the applicant in this state or any other jurisdiction;

(v) any misdemeanor, gross misdemeanor, or felony convictions; and

(vi) any other additional information requested by the commissioner;

(2) proof, as required by the commissioner, that the applicant has satisfactorily completed a postsecondary massage therapy program or Asian bodywork therapy program through a school or program that:

(i) is licensed by or registered with the Office of Higher Education or has conditional approval for a registered school and provisional license from the Office of Higher Education; and

(ii) meets the education and training requirements described under subdivision 2 or 3;

(3) proof of successful passage of a credentialing examination approved by the commissioner;

(4) proof, as required by the commissioner, of current professional liability insurance coverage or school liability insurance coverage, as applicable, with at least $2,000,000 of coverage per occurrence and $6,000,000 annual aggregate; and

(5) any applicable fees specified in section 148.6377.

(b) The applicant must submit to a criminal background check conducted in accordance with section 144.0572 and pay any fees associated with conducting the criminal background check.

(c) The applicant must sign the application certifying that the information in the application is true and correct to the best of the applicant's knowledge and authorizing the commissioner to obtain access to the applicant's records in this state or any other jurisdiction in which the applicant has engaged in the practice of massage therapy or Asian bodywork therapy.

Subd. 2. **Education and training requirements for massage therapy registration.** (a) An applicant for registration as a massage therapist under subdivision 1 whose application is received by the commissioner before July 1, 2031, must submit to the commissioner proof of satisfactorily

completing a postsecondary program that meets the requirements in subdivision 1, paragraph (a), clause (2), item (i), and includes education and training in:

(1) anatomy;

(2) physiology;

(3) pathology;

(4) massage therapy;

(5) massage therapy history, theory, and research;

(6) professional ethics;

(7) therapeutic interpersonal communications and standards of practice;

(8) business and legal practices related to massage therapy; and

(9) supervised practice demonstrating safe use of equipment and supplies.

(b) An applicant for registration as a massage therapist under subdivision 1 whose application is received by the commissioner on or after July 1, 2031, must submit to the commissioner proof of satisfactorily completing a postsecondary massage therapy program that meets the requirements in subdivision 1, paragraph (a), clause (2), item (i), and either:

(1) has programmatic accreditation for massage therapy training programs from an agency recognized by the United States Department of Education; or

(2) includes at least 625 contact hours of education and training composed of 500 contact hours of instruction in the areas listed in paragraph (a) and 125 contact hours of student clinical practice.

(c) A program may require more than 625 total contact hours of education and training, and may require more than 125 hours of supervised clinical practice, if at least 500 contact hours are devoted to instruction in the subjects listed in paragraph (a).

(d) A student shall not begin a supervised clinical practice of massage therapy without student or professional liability insurance coverage of up to $2,000,000 per occurrence and $6,000,000 annual aggregate. The school or program may offer to the student, the student or professional liability insurance coverage required under this paragraph.

Subd. 3. **Education and training requirements for Asian bodywork therapy registration.** (a) An applicant for registration as an Asian bodywork therapist under subdivision 1 whose application is received by the commissioner before July 1, 2031, must submit to the commissioner proof of satisfactorily completing a postsecondary program that meets the requirements in subdivision 1, paragraph (a), clause (2), item (i), and includes education and training in:

(1) anatomy;

(2) physiology;

(3) pathology;

(4) Asian bodywork therapy;

(5) traditional Chinese medicine theory;

(6) Asian bodywork history, theory, and research;

(7) professional ethics;

(8) therapeutic interpersonal communications and standards of practice;

(9) business and legal practices related to Asian bodywork therapy; and

(10) supervised practice demonstrating safe use of equipment and supplies.

(b) An applicant for registration as an Asian bodywork therapist under subdivision 1 whose application is received by the commissioner on or after July 1, 2031, must submit to the commissioner proof of satisfactorily completing a postsecondary program that meets the requirements in subdivision 1, paragraph (a), clause (2), item (i), and either:

(1) has programmatic accreditation for Asian bodywork therapy training programs from an agency recognized by the United States Department of Education; or

(2) includes at least 625 contact hours of education and training composed of 500 contact hours of instruction in the areas listed in paragraph (a) and 125 contact hours of student clinical practice.

(c) An Asian bodywork therapy school or program may require more than 625 total contact hours of education and training, and may require more than 125 hours of supervised clinical practice, if at least 500 contact hours are devoted to instruction in the subjects listed in paragraph (a).

(d) A student shall not begin a supervised clinical practice of Asian bodywork therapy without providing proof to the Asian bodywork therapy school or program of professional liability insurance coverage of up to $2,000,000 per occurrence and $6,000,000 annual aggregate. The school or program may offer to the student the professional liability insurance coverage required under this paragraph.

Subd. 4. **Registration by endorsement.** (a) To be eligible for registration by endorsement, an applicant must:

(1) meet the requirements for registration in subdivision 1, with the exception of subdivision 1, paragraph (a), clauses (2) and (3);

(2) provide proof as required by the commissioner that the massage therapy training program or Asian bodywork therapy training program at the time of the applicant's enrollment met the postsecondary education requirements in the jurisdiction in which the program was provided; and

(3) provide proof as required by the commissioner, with advice from the advisory council, of a current and unrestricted equivalent credential in another jurisdiction that has qualification requirements at least equivalent to the requirements of sections 148.636 to 148.6377.

(b) Registrations by endorsement expire on the same schedule and must be renewed by the procedures described under section 148.6367, subdivision 2.

Subd. 5. **Registration by prior experience.** (a) To be eligible for registration by prior experience, an applicant must:

(1) meet the requirements for registration in subdivision 1, with the exception of subdivision 1, paragraph (a), clauses (2) and (3); and

(2) provide proof of experience in the practice of massage therapy or Asian bodywork therapy for at least two of the previous five years immediately preceding the registration application date.

(b) Registrations issued under this subdivision expire on the same schedule and must be renewed by the procedures described under section 148.6367, subdivision 2, unless the registration is canceled due to nonrenewal under section 148.6367, subdivision 8, in which case the individual must apply for a new registration under the initial registration requirements in subdivision 1.

(c) The application for registration by prior experience under this subdivision must be received by the commissioner before July 1, 2031.

Subd. 6. **Temporary registration.** (a) The commissioner may issue a temporary registration as a massage therapist or Asian bodywork therapist to an applicant eligible for registration under this section if the application for registration is complete, all applicable requirements have been met, and applicable fees have been paid. The temporary registration remains valid until the commissioner takes action on the applicant's application, or 90 days from the temporary registration's issuance, whichever is sooner.

(b) A temporary registration holder is considered a registrant for purposes of sections 148.6369 to 148.6374.

Sec. 11. **[148.6367] REGISTRATION RENEWAL.**

Subdivision 1. **Expiration of registration.** Registrations issued according to sections 148.636 to 148.6377 expire two years from the date of issuance.

Subd. 2. **Renewal.** To be eligible for registration renewal, an applicant must every two years, or as determined by the commissioner, submit to the commissioner:

(1) a completed renewal application on a form provided by the commissioner;

(2) any applicable fees specified in section 148.6377;

(3) proof of current professional liability coverage with at least $2,000,000 of coverage per occurrence and $6,000,000 annual aggregate; and

(4) any additional information requested by the commissioner to clarify information presented in the renewal application. The applicant must submit the information within 30 days after the commissioner's request, or the renewal application is canceled.

Subd. 3. **Change of address.** A registrant or applicant who changes addresses must inform the commissioner in writing within 30 days of the change of address. Notices or other correspondence mailed to or served on a registrant or applicant at the registrant's or applicant's current address on file are considered received by the registrant or applicant.

Subd. 4. **Registration renewal notice.** (a) At least 60 days before the registration's expiration date, the commissioner shall send out a renewal notice to the registrant. The notice must include:

(1) a renewal application;

(2) a notice of fees required for renewal; and

(3) information stating that the registration will expire without further action by the commissioner if a renewal application is not received before the deadline for renewal.

(b) The registrant's failure to receive the renewal notice does not relieve the registrant of the obligation to meet the deadline and other requirements for registration renewal. Failure to receive the notice is not grounds for challenging expiration of the registration.

Subd. 5. **Renewal deadline.** The renewal application and fee must be received by the commissioner or must be postmarked before the registration's expiration date. If the postmark is illegible, the application is timely if received by the third working day after the deadline.

Subd. 6. **Inactive status and return to active status.** (a) A registration may be placed in inactive status upon application to the commissioner by the registrant and upon payment of an inactive status fee as specified in section 148.6377. Failure to pay the annual inactive status fee shall result in a lapse of registration.

(b) A registrant seeking registration restoration to active status from inactive status must:

(1) apply to the commissioner for registration renewal according to subdivision 2;

(2) submit the applicable reactivation fee as specified in section 148.6377; and

(3) if the registration has been in inactive status for more than five years, submit evidence of having received a passing score on a credentialing examination.

Subd. 7. **Registration following lapse for two years or less.** To regain active registration status for a registration that has lapsed for two years or less, the applicant must:

(1) apply to the commissioner for registration renewal according to subdivision 2; and

(2) submit all applicable renewal fees for the period not registered, including the fee for late renewal.

Subd. 8. **Cancellation due to nonrenewal.** The commissioner shall not renew, reissue, reinstate, or restore a registration that has lapsed and has not been renewed within two years. An individual whose registration is canceled for nonrenewal must obtain a new registration by applying for registration and fulfilling all requirements under section 148.6366, subdivision 1, for initial registration as a massage therapist or Asian bodywork therapist.

Sec. 12. **[148.6368] COMMISSIONER ACTION ON APPLICATIONS.**

Subdivision 1. **General.** (a) The commissioner must act on each application for registration or renewal according to this section.

(b) The commissioner shall determine if the applicant meets the requirements for registration or renewal under section 148.6366 or 148.6367. The commissioner may investigate information provided by an applicant to determine whether the information is accurate and complete and may request additional information or documentation.

(c) The commissioner shall notify each applicant in writing of action taken on the application, the grounds for denying registration if registration is denied, and the applicant's right to review under paragraph (d).

(d) An applicant denied registration may make a written request to the commissioner within 30 days of the commissioner's notice to appear before the advisory council and for the advisory council to review the commissioner's decision to deny registration. After reviewing the denial, the advisory council shall make a recommendation to the commissioner as to whether the denial must be affirmed. Each applicant is allowed only one request for review per registration period.

Subd. 2. **Registration prohibited.** (a) Except as provided in paragraph (b), the commissioner shall deny an application for registration if an applicant:

(1) has been convicted in this state of any of the following crimes or of equivalent crimes in another state:

(i) labor or sex trafficking under section 609.281, 609.282, 609.283, or 609.322;

(ii) criminal sexual conduct under sections 609.342 to 609.3451 or 609.3453; or

(iii) a violent crime as defined under section 611A.08, subdivision 6;

(2) is a registered sex offender under section 243.166;

(3) has been subject to disciplinary action under section 146A.09, if the commissioner determines that such denial is necessary to protect the public; or

(4) is charged with or under investigation for a complaint in this state or any other jurisdiction that would constitute a violation of statutes or rules established for massage therapy or Asian bodywork therapy registration in this state and the charge or complaint has not been resolved in favor of the applicant.

(b) The commissioner may establish criteria whereby an individual convicted of an offense listed in paragraph (a) may become registered if the criteria:

(1) utilize a rebuttable presumption that the applicant is not suitable for registration;

(2) provide a standard for overcoming the presumption; and

(3) require that a minimum of one year has elapsed since the applicant was released from incarceration or supervisory jurisdiction related to the offense.

(c) The commissioner shall not consider an application under paragraph (b) if the commissioner determines that the victim involved in the offense was a client of the applicant at the time of the offense.

Sec. 13. **[148.6369] GROUNDS FOR DISCIPLINARY ACTION.**

Subdivision 1. **Grounds listed.** (a) The commissioner may deny, revoke, suspend, limit, or condition the registration of a registrant or may otherwise discipline a registrant. The fact that massage therapy or Asian bodywork therapy may be considered a less customary approach to health care must not by itself constitute the basis for disciplinary action.

(b) The following are grounds for disciplinary action regardless of whether injury to a client is established:

(1) failing to demonstrate the qualifications or to satisfy the requirements for registration under sections 148.636 to 148.6377 or rules of the commissioner. In the case of an applicant, the burden of proof is on the applicant to demonstrate the qualifications or satisfy the requirements;

(2) advertising in a false, fraudulent, deceptive, or misleading manner, including but not limited to:

(i) advertising or holding oneself out as a "registered massage therapist," "RMT," "registered Asian bodywork therapist," "RABT," or any abbreviation or derivation thereof to indicate such a title, when such registration is not valid or current for any reason;

(ii) advertising or holding oneself out as a "registered massage therapist," "registered Asian bodywork therapist," or any abbreviation or derivation thereof to indicate such a title, except if the individual holds a registration in another state or jurisdiction and does not provide services in Minnesota;

(iii) advertising a service, the provision of which would constitute a violation of sections 148.636 to 148.6377 or rules established by the commissioner; and

(iv) using fraud, deceit, or misrepresentation when communicating with the general public, health care providers, or other business professionals;

(3) falsifying information in a massage therapy or Asian bodywork therapy registration or renewal application; attempting to obtain registration, renewal, or reinstatement by fraud, deception, or misrepresentation; or aiding and abetting any of these acts;

(4) engaging in conduct with a client that is sexual or may reasonably be interpreted by the client as sexual, or engaging in any verbal behavior that is seductive or sexually demeaning to a client, or engaging in sexual exploitation of a client, without regard to who initiates such behaviors;

(5) committing an act of gross malpractice, negligence, or incompetency, or failing to practice massage therapy or Asian bodywork therapy with the level of care, skill, and treatment that is recognized by a registrant as being acceptable under similar conditions and circumstances;

(6) having an actual or potential inability to practice massage therapy or Asian bodywork therapy with reasonable skill and safety to clients by reason of illness, as a result of any mental or physical condition, or use of alcohol, drugs, chemicals, or any other material. Being adjudicated as mentally incompetent, mentally ill, a chemically dependent person, or a person dangerous to the public by a court of competent jurisdiction, inside or outside of this state, may be considered evidence of an inability to practice massage therapy or Asian bodywork therapy;

(7) being the subject of disciplinary action as a massage therapist or Asian bodywork therapist in another state or jurisdiction if the commissioner or advisory council determines that the cause of the disciplinary action would be a violation under this state's statutes or rules of the commissioner had the violation occurred in this state;

(8) failing to notify the commissioner of revocation or suspension of a credential, or any other disciplinary action taken by this or any other state, territory, or country, including any restrictions on the right to practice; or the surrender or voluntary termination of a credential during a commissioner investigation of a complaint, as part of a disciplinary order, or while under a disciplinary order;

(9) conviction of a crime, including a finding or verdict of guilt, an admission of guilt, or a no-contest plea, in any court in Minnesota or any other jurisdiction in the United States, reasonably related to engaging in massage therapy practices or Asian bodywork therapy practices. Conviction, as used in this clause, includes a conviction for an offense that, if committed in this state, would be deemed a felony, gross misdemeanor, or misdemeanor regardless of its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned but the adjudication of guilt is either withheld or not entered;

(10) if a registrant is on probation, failing to abide by terms of probation;

(11) practicing or offering to practice beyond the scope of the practice of massage therapy or Asian bodywork therapy;

(12) managing client records and information improperly, including but not limited to failing to maintain adequate client records, comply with a client's request made according to sections 144.291 to 144.298, or furnish a client record or report required by law;

(13) revealing a privileged communication from or relating to a client except when otherwise required or permitted by law;

(14) providing massage therapy services or Asian bodywork therapy services that are linked to the financial gain of a referral source;

(15) obtaining money, property, or services from a client, other than reasonable fees for services provided to the client, through the use of undue influence, harassment, duress, deception, or fraud;

(16) engaging in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws;

(17) failing to consult with a client's health care provider who prescribed a course of massage therapy treatment or Asian bodywork therapy treatment if the treatment needs to be altered from

the original written order to conform with standards in the massage therapy or Asian bodywork therapy field or the registrant's level of training or experience;

(18) failing to cooperate with an investigation of the commissioner or the commissioner's representatives, including failing to: respond fully and promptly to any question raised by or on behalf of the commissioner relating to the subject of the investigation; execute all releases requested by the commissioner; provide copies of client records as reasonably requested by the commissioner to assist in the commissioner's investigation; and appear at conferences or hearings scheduled by the commissioner or the commissioner's staff;

(19) interfering with an investigation or disciplinary proceeding, including by willful misrepresentation of facts or by the use of threats or harassment to prevent a person from providing evidence in a disciplinary proceeding or any legal action;

(20) violating a statute, rule, order, or agreement for corrective action that the commissioner issued or is otherwise authorized or empowered to enforce;

(21) aiding or abetting a person in violating sections 148.636 to 148.6377;

(22) failing to report to the commissioner other massage therapists and Asian bodywork therapists who commit violations of sections 148.636 to 148.6377; and

(23) failing to notify the commissioner in writing of the entry of a final judgment by a court of competent jurisdiction against the registrant for malpractice of massage therapy or Asian bodywork therapy, or any settlement by the registrant in response to charges or allegations of malpractice of massage therapy or Asian bodywork therapy. The notice must be provided to the commissioner within 60 days after the entry of a judgment or date of settlement, and must contain the name of the court, case number, and the names of all parties to the action.

Subd. 2. **Evidence.** In disciplinary actions alleging a violation of subdivision 1, a copy of the judgment or proceeding under the seal of the court administrator or of the administrative agency must be admissible into evidence without further authentication and must constitute prima facie evidence of the violation.

Subd. 3. **Examination; access to medical data.** (a) The commissioner may take the following actions if the commissioner has probable cause to believe that grounds for disciplinary action exist under subdivision 1, paragraph (b), clause (6).

(b) The commissioner may direct the applicant or registrant to submit to a mental or physical examination or substance use disorder evaluation. For the purpose of this subdivision, when an applicant or registrant is directed in writing by the commissioner to submit to a mental or physical examination or substance use disorder evaluation, that applicant or registrant is considered to have consented and to have waived all objections to admissibility on the grounds of privilege. Failure of the applicant or registrant to submit to an examination when directed constitutes an admission of the allegations against the applicant or registrant, unless the failure was due to circumstances beyond the applicant's or registrant's control, and the commissioner may enter a default and final order without taking testimony or allowing evidence to be presented. A registrant affected under this paragraph shall, at reasonable intervals, be given an opportunity to demonstrate that the registrant can resume the competent practice of massage therapy or Asian bodywork therapy with reasonable

skill and safety to clients. Neither the record of proceedings nor the orders entered by the commissioner in a proceeding under this paragraph may be used against a registrant in any other proceeding.

(c) The commissioner may, notwithstanding section 13.384, 144.651, or 595.02, or any other law limiting access to medical or other health data, obtain medical data and health records relating to an applicant or registrant without the applicant's or registrant's consent. The medical data may be requested from a provider, as defined in section 144.291, subdivision 2, paragraph (i); an insurance company; or a government agency, including the Department of Human Services and Direct Care and Treatment. A provider, insurance company, or government agency shall comply with any written request of the commissioner under this subdivision and is not liable in any action for damages for releasing the data requested by the commissioner if the data are released pursuant to a written request under this subdivision unless the information is false and the provider giving the information knew, or had reason to believe, the information was false. Information obtained under this subdivision is classified as private data on individuals as defined in section 13.02.

Sec. 14. **[148.6370] DISCIPLINARY ACTIONS.**

Subdivision 1. **Forms of disciplinary action.** When the commissioner finds that grounds for disciplinary action exist under section 148.6369, subdivision 1, the commissioner may take one or more of the following actions:

(1) deny the registration;

(2) revoke the registration;

(3) suspend the registration;

(4) impose limitations on the practice of massage therapy or Asian bodywork therapy, including but not limited to limitation of scope of practice or a requirement to practice under supervision;

(5) impose conditions on the retention of a registration, including but not limited to imposing retraining or rehabilitation requirements or conditioning continued practice on a demonstration of knowledge or skills by appropriate examination, monitoring, or other review;

(6) impose a civil penalty not exceeding $10,000 for each separate violation, the amount of the civil penalty (i) to be fixed as to deprive the massage therapist or Asian bodywork therapist of any economic advantage gained by reason of the violation charged, (ii) to reimburse the commissioner for the cost of counsel, investigation, and proceeding, and (iii) to discourage repeated violations;

(7) order the registrant to provide unremunerated service;

(8) censure or reprimand the registrant; or

(9) any other action justified by the facts of the case.

Subd. 2. **Automatic suspension.** (a) Unless the commissioner orders otherwise, a registration is automatically suspended if:

(1) a guardian for the registrant is appointed by order of a court under sections 524.5-101 to 524.5-502;

(2) the registrant is committed by order of a court under chapter 253B; or

(3) the registrant is determined to be mentally incompetent, mentally ill, chemically dependent, or a person dangerous to the public by a court of competent jurisdiction within or outside this state.

(b) A registration suspended under this subdivision remains suspended until the registrant is restored to capacity by a court and, upon petition by the registrant, the suspension is terminated by the commissioner after a hearing or upon agreement between the commissioner and the registrant.

Subd. 3. **Temporary suspension.** In addition to any other remedy provided by law, the commissioner, acting through a person to whom the commissioner has delegated this authority and without a hearing, may temporarily suspend the registration of a massage therapist or Asian bodywork therapist if the commissioner's delegate finds that the registrant has violated a statute or rule that the commissioner is empowered to enforce and that continued practice would create a serious risk of harm to others. The suspension is in effect upon service of a written order on the registrant specifying the statute or rule violated. The order remains in effect until the commissioner issues a final order in the matter after a hearing or upon agreement between the commissioner and the registrant. Service of the order is effective if the order is served on the registrant or counsel of record personally or by first class mail. Within ten days of service of the order, the commissioner shall hold a hearing on the sole issue of whether there is a reasonable basis to continue, modify, or lift the suspension. Evidence presented by the commissioner or registrant shall be in affidavit form only. The registrant or the counsel of record may appear for oral argument. Within five working days after the hearing, the commissioner shall issue the commissioner's order and, if the suspension is continued, schedule a contested case hearing within 45 days after issuance of the order. The administrative law judge shall issue a report within 30 days after closing of the contested case hearing record. The commissioner shall issue a final order within 30 days after receipt of that report.

Subd. 4. **Hearings.** If the commissioner proposes to take action against the applicant or registrant as described in subdivision 1, the commissioner must first notify the applicant or registrant against whom the action is proposed to be taken and provide the applicant or registrant with an opportunity to request a hearing under the contested case provisions of chapter 14. If the applicant or registrant does not request a hearing by notifying the commissioner within 30 days after service of the notice of the proposed action, the commissioner may proceed with the action without a hearing.

Subd. 5. **Reissuance.** The commissioner may reinstate and reissue a registration, but as a condition may impose any disciplinary or corrective measure that the commissioner might originally have imposed. Any person whose registration has been revoked, suspended, or limited may have the registration reinstated when, in the discretion of the commissioner, the action is warranted, provided that the person shall be required by the commissioner to pay the costs of the proceedings resulting in the revocation, suspension, or limitation of the registration and reinstatement of the registration and to pay the fee for the current registration period. The cost of proceedings shall include but not be limited to the cost paid by the commissioner to the Court of Administrative Hearings and the Office of the Attorney General for legal and investigative services, the costs of a court reporter and witnesses, reproduction of records, and Department of Health staff time, travel, and expenses.

Sec. 15. **[148.6371] REPORTING OBLIGATIONS.**

Subdivision 1. **Permission to report.** A person who has knowledge of any conduct constituting grounds for disciplinary action relating to massage therapy or Asian bodywork therapy under sections 148.636 to 148.6377 may report the violation to the commissioner.

Subd. 2. **Institutions.** A state agency, political subdivision, agency of a local unit of government, private agency, hospital, clinic, prepaid medical plan, or other health care institution or organization located in this state shall report to the commissioner any action taken by the agency, institution, or organization or any of its administrators or medical or other committees to revoke, suspend, restrict, or condition a registrant's privilege to practice or treat clients in the institution or, as part of the organization, any denial of privileges or any other disciplinary action for conduct that might constitute grounds for disciplinary action under sections 148.636 to 148.6377. The institution, organization, or governmental entity shall also report the resignation of a registrant prior to the conclusion of any disciplinary action proceeding for conduct that might constitute grounds for disciplinary action under sections 148.636 to 148.6377 or prior to the commencement of formal charges but after the registrant had knowledge that formal charges were contemplated or were being prepared.

Subd. 3. **Professional societies.** A state or local professional society for massage therapists or Asian bodywork therapists shall report to the commissioner any termination, revocation, or suspension of membership or any other disciplinary action taken against a registrant. If the society has received a complaint that might be grounds for disciplinary action under sections 148.636 to 148.6377 against a member for whom the society has not taken any disciplinary action, the society shall report the complaint and the reason the society has not taken action on the complaint to the commissioner, or shall direct the complainant to the commissioner.

Subd. 4. **Licensed health professionals.** (a) For purposes of this subdivision, "client" means an individual receiving health services from a licensed health professional.

(b) A licensed health professional shall report to the commissioner personal knowledge of any conduct by a registrant that the licensed health professional reasonably believes constitutes grounds for disciplinary action under sections 148.636 to 148.6377, including conduct indicating that the individual may be incompetent or may be mentally or physically unable to engage safely in the provision of services. If the information was obtained in the course of a client relationship, the client is a registrant, and the treating individual successfully counsels the client to limit or withdraw from practice to the extent required by the impairment, the commissioner may deem this limitation of or withdrawal from practice to be sufficient disciplinary action.

Subd. 5. **Insurers.** (a) Four times each year as prescribed by the commissioner, each insurer authorized to sell insurance described in section 60A.06, subdivision 1, clause (13), that provided professional liability insurance to massage therapists or Asian bodywork therapists, or the Joint Underwriting Association under chapter 62I shall submit to the commissioner a report concerning the registrants against whom malpractice settlements or awards have been made. The report must contain at least the following information:

(1) the total number of malpractice settlements or awards made;

(2) the dates the malpractice settlements or awards were made;

(3) the allegations contained in the claims or complaints leading to the settlements or awards made;

(4) the dollar amount of each malpractice settlement or award;

(5) the regular address of the practice of each registrant against whom an award was made or with whom a settlement was made; and

(6) the name of each registrant against whom an award was made or with whom a settlement was made.

(b) In addition to the information specified in paragraph (a), the insurer shall submit to the commissioner any information, records, and files, including client charts and records, the insurer possesses that tend to substantiate a charge that a registrant may have engaged in conduct that violates sections 148.636 to 148.6377.

Subd. 6. **Courts.** The court administrator of district court or any other court of competent jurisdiction shall report to the commissioner any judgment or other determination of the court that adjudges or includes a finding that a registrant is mentally ill, mentally incompetent, guilty of a felony, guilty of a violation of federal or state narcotics laws or controlled substances act, or guilty of abuse or fraud under Medicare or Medicaid; that appoints a guardian of a registrant under sections 524.5-101 to 524.5-502; or that commits a registrant under chapter 253B.

Subd. 7. **Self-reporting.** A registrant shall report to the commissioner:

(1) any personal action that would require a report to be filed under subdivisions 2 to 5 by any person, health care facility, business, or organization;

(2) the revocation, suspension, restriction, limitation, or other disciplinary action against the registrant's license, certificate, registration, or right of practice in another state or jurisdiction for offenses that would subject the registrant to disciplinary action in this state; and

(3) the filing of charges regarding their license, certificate, registration, or right of practice in another state or jurisdiction.

Subd. 8. **Deadlines; forms.** Reports required in subdivisions 2 to 4, 6, and 7 must be submitted no later than 30 days after the reporter learns of the occurrence of the reportable event or transaction. The commissioner may provide forms for the submission of reports required in this section, may require reports to be submitted on the forms provided, and may adopt rules necessary to ensure prompt and accurate reporting.

Sec. 16. **[148.6372] IMMUNITY.**

Subdivision 1. **Reporting.** Any health care facility, business, organization, or person, other than the registrant who committed the violation, is immune from civil liability or criminal prosecution for, in good faith, submitting a report to the commissioner, for otherwise reporting to the commissioner violations or alleged violations of sections 148.636 to 148.6377, or for cooperating with an investigation of a report, except as provided in this subdivision. Any person who knowingly or recklessly makes a false report is liable in a civil suit for any damages suffered by the person or

persons so reported and for any punitive damages set by the court or jury. An action requires clear and convincing evidence that the defendant made the statement with knowledge of falsity or with reckless disregard for its truth or falsity. The report or statement or any statement made in cooperation with an investigation or as part of a disciplinary proceeding is privileged except in an action brought under this subdivision.

Subd. 2. **Investigation.** The commissioner and employees of the Department of Health and other persons engaged in the investigation of violations and in the preparation, presentation, and management of and testimony pertaining to charges of violations of sections 148.636 to 148.6377 are immune from civil liability and criminal prosecution for any actions, transactions, or publications in the execution of, or relating to, their duties under sections 148.636 to 148.6377.

Sec. 17. **[148.6373] COOPERATION.**

(a) A registrant who is the subject of an investigation by or on behalf of the commissioner shall cooperate fully with the investigation. Cooperation includes:

(1) responding fully and promptly to any question raised by or on behalf of the commissioner relating to the subject of the investigation;

(2) providing copies of client or other records in the registrant's possession, as reasonably requested by the commissioner, to assist the commissioner in the investigation; and

(3) appearing at conferences and hearings scheduled by the commissioner.

(b) The commissioner shall pay for copies requested. If the commissioner does not have a written consent from a client permitting access to the client's records, the registrant shall delete any data in the record that identify the client before providing data to the commissioner. The commissioner shall maintain any records obtained pursuant to this section as investigative data under chapter 13. The registrant shall not be excused from giving testimony or producing any documents, books, records, or correspondence on the grounds of self-incrimination, but the testimony or evidence may not be used against the registrant in any criminal case.

Sec. 18. **[148.6374] DISCIPLINARY RECORD ON JUDICIAL REVIEW.**

Upon judicial review of any disciplinary action taken by the commissioner under sections 148.636 to 148.6377, the reviewing court shall seal the administrative record, except for the commissioner's final decision, and shall not make the administrative record available to the public.

Sec. 19. **[148.6375] EFFECT ON MUNICIPAL ORDINANCES.**

Subdivision 1. **License authority.** Effective July 1, 2028, sections 148.636 to 148.6377 preempt the licensure and regulation of massage therapists or Asian bodywork therapists by a municipality, including, without limitation, conducting a criminal background investigation and examination of a massage therapist or Asian bodywork therapist, or applicant for a municipality's credential to practice massage therapy or Asian bodywork therapy.

Subd. 2. **Municipal regulation.** Sections 148.636 to 148.6377 do not limit a municipality from:

(1) requiring a massage therapy or Asian bodywork therapy establishment to obtain a business license or permit to conduct business in the municipality; or

(2) conducting a criminal background investigation on any owners of a massage therapy or Asian bodywork therapy establishment who are not registered massage therapists or registered Asian bodywork therapists.

Sec. 20. **[148.6376] MASSAGE THERAPY ADVISORY COUNCIL.**

Subdivision 1. **Creation; membership.** (a) The Massage Therapy Advisory Council is created and is composed of five members appointed by the commissioner. All members must have resided in this state for at least three years immediately preceding appointment. The advisory council consists of:

(1) two public members, as defined in section 214.02; and

(2) three members who are registered under sections 148.636 to 148.6377, two of whom must be registered massage therapists.

(b) No more than one member of the advisory council may be an owner or administrator of a massage therapy education provider.

Subd. 2. **Administration.** The advisory council is established and administered under section 15.059.

Subd. 3. **Chair.** The advisory council shall elect a chair from among its members.

Subd. 4. **Duties.** The advisory council shall:

(1) advise the commissioner on establishing standards of practice and a code of ethics for registered massage therapists and Asian bodywork therapists;

(2) advise the commissioner on distributing information regarding massage therapy and Asian bodywork therapy practice standards;

(3) establish educational requirements, approve massage therapy and Asian bodywork therapy schools or programs, and conduct or provide for surveys of schools, programs, and courses; and

(4) perform other duties authorized for advisory councils under chapter 214, as directed by the commissioner.

Subd. 5. **Expiration.** Notwithstanding section 15.059, the advisory council does not expire.

Sec. 21. **[148.6377] FEES.**

Subdivision 1. **Fees.** Fees are as follows:

(1) initial registration with application fee must not exceed $640.50;

(2) biennial registration renewal fee must not exceed $640.50;

(3) late fee, $50;

(4) annual inactive status, $50;

(5) inactive to active status reactivation, $50;

(6) temporary registration, $50; and

(7) returned check, $35.

Subd. 2. **Late renewal fee.** An application for registration renewal submitted after the deadline must be accompanied by a late fee in addition to the required fees.

Subd. 3. **Nonrefundable fees.** All of the fees in this section are nonrefundable.

Subd. 4. **Deposit.** Fees collected by the commissioner under this section must be deposited into the state government special revenue fund.

Sec. 22. **INITIAL MASSAGE THERAPY ADVISORY COUNCIL.**

Subdivision 1. **Initial member appointments.** The commissioner of health shall make the initial appointments to the Massage Therapy Advisory Council authorized under Minnesota Statutes, section 148.6376, by January 1, 2027. The initial therapist members appointed to the advisory council need not be registered under Minnesota Statutes, sections 148.636 to 148.6377, prior to initial appointment, but must be a practicing massage therapist or Asian bodywork therapist with at least five years of experience in the practice of massage therapy or Asian bodywork therapy. A massage therapist or Asian bodywork therapist initially appointed to the advisory council must become registered under Minnesota Statutes, sections 148.636 to 148.6377, by January 1, 2028. If the massage therapist or Asian bodywork therapist member does not become registered by January 1, 2028, the member must be removed from the advisory council by the commissioner and a new member who is registered under Minnesota Statutes, sections 148.636 to 148.6377, must be appointed by the commissioner.

Subd. 2. **First advisory council meeting; initial chair.** The commissioner of health shall designate one member from the initial appointments to call the first meeting of the advisory council. The first meeting must be convened by May 15, 2027. The advisory council shall elect a chair from its members at the first advisory council meeting.

ARTICLE 4

MORTUARY SCIENCE

Section 1. Minnesota Statutes 2024, section 149A.02, subdivision 26, is amended to read:

Subd. 26. **Intern.** "Intern" means an individual ~~that~~ who: (1)(i) has met the educational and testing requirements for a license to practice mortuary science in Minnesota~~,~~; (ii) has completed a mortuary science program accredited by the American Board of Funeral Service Education; or (iii) is enrolled in a mortuary science program accredited by the American Board of Funeral Service Education; (2) has registered with the commissioner of health~~,~~; and (3) is engaged in the practice

of mortuary science under the direction and supervision of a currently licensed Minnesota mortuary science practitioner.

Sec. 2. Minnesota Statutes 2024, section 149A.20, subdivision 6, is amended to read:

Subd. 6. **Internship.** (a) A person ~~who attains a passing score on both examinations in subdivision 5~~ must complete a registered internship under the direct supervision of an individual currently licensed to practice mortuary science in Minnesota. ~~Interns must file with the commissioner:~~ A person may begin the registered internship while the person is enrolled in a mortuary science program accredited by the American Board of Funeral Service Education, upon completion of the accredited mortuary science program, or after attaining a passing score on both examinations in subdivision 5.

(b) An applicant for an internship must file with the commissioner:

(1) the appropriate fee; ~~and~~

(2) a registration form indicating the name and home address of the ~~intern,~~ applicant; the date the internship begins~~, and~~; the name, license number, and business address of the primary supervising mortuary science licensee~~.~~; and the name, license number, and business address of the alternate supervising mortuary science licensee, if applicable; and

(3) if the applicant is currently enrolled in a mortuary science program accredited by the American Board of Funeral Service Education, a letter from the program specifying the name and address of the program; verifying the applicant's enrollment, number of credit hours completed, and anticipated graduation date; and specifying whether the applicant has completed coursework in embalming and restorative arts.

~~(b)~~ (c) Any changes in information provided in the registration must be immediately reported to the commissioner. The internship shall be a minimum of 2,080 hours to be completed ~~within a three-year period, however,~~ during enrollment in a mortuary science program accredited by the American Board of Funeral Service Education, after graduation, or both during enrollment and after graduation. The commissioner may waive up to 520 hours of the internship time requirement upon satisfactory completion of a clinical or practicum in mortuary science administered through the program of mortuary science of the University of Minnesota or a ~~substantially similar~~ mortuary science program ~~approved by the commissioner~~ accredited by the American Board of Funeral Service Education. Registrations must be renewed on an annual basis if they exceed one calendar year. During the internship period, the intern must be under the direct supervision of a person holding a current license to practice mortuary science in Minnesota. An intern may be registered under only one registered primary supervising licensee and one registered alternate supervising licensee at any given time and may be directed and supervised only by the registered primary supervising licensee or registered alternate supervising licensee. The registered primary supervising licensee shall have only one intern registered at any given time. The commissioner shall issue to each registered intern a registration permit that must be displayed with the other establishment and practice licenses. While under the direct supervision of the registered primary supervising or alternate supervising licensee, the intern must complete 25 case reports in each of the following areas: embalming, funeral arrangements, and services. An intern who has not completed coursework in embalming and restorative arts must be in the physical presence of the primary or alternate supervising licensee in

order to perform surgical procedures and embalming. Case reports, on forms provided by the commissioner, shall be completed by the intern and filed with the commissioner prior to the completion of the internship. Information contained in these reports that identifies the subject or the family of the subject embalmed or the subject or the family of the subject of the funeral shall be classified as licensing data under section 13.41, subdivision 2.

Sec. 3. Minnesota Statutes 2024, section 149A.20, subdivision 7, is amended to read:

Subd. 7. **Application procedure and documentation.** After completing the registered internship, the applicant for an initial license to practice mortuary science must submit to the commissioner a complete application and the appropriate fee. A complete application includes:

(1) a completed application form, as provided by the commissioner;

(2) proof of age;

(3) an official transcript from each post high school educational institution attended, including colleges of funeral service education;

(4) certification of a passing score on the National Board Examination from the commissioner of the Conference of Funeral Service Examining Boards of the United States, Inc.;

(5) a copy of the notification of a passing score on the state licensing examination; and

(6) a signed, dated, and notarized affidavit from the registered primary supervising licensee who supervised the Minnesota internship stating the date the internship began and ended and that both the applicant and the registered primary supervising licensee fulfilled the requirements under subdivision 6.

Upon receipt of the completed application and appropriate fee, the commissioner shall review and verify all information. Upon completion of the verification process and resolution of any deficiencies in the application information, the commissioner shall make a determination, based on all the information available, to grant or deny licensure. If the commissioner's determination is to grant licensure, the applicant shall be notified and the license shall issue and remain valid for a period prescribed on the license, but not to exceed one calendar year from the date of issuance of the license. If the commissioner's determination is to deny licensure, the commissioner must notify the applicant, in writing, of the denial and provide the specific reason for the denial.

Sec. 4. Minnesota Statutes 2024, section 149A.30, subdivision 1, is amended to read:

Subdivision 1. **Licensees of other states.** (a) The commissioner may issue a reciprocal license to practice mortuary science to a person who holds a current license or other credential from another jurisdiction if the ~~commissioner determines that the requirements for that license or other credential are substantially similar to the requirements under this chapter. The individual seeking reciprocal licensing must~~ person:

(1) ~~attain~~ attains:

(i) a passing score on the Minnesota state licensing examination; and

(ii) a passing score on the National Board Examination administered by the International Conference of Funeral Service Examining Boards of the United States, Inc., or another examination determined by the commissioner to adequately and accurately assess the knowledge and skills required to practice mortuary science;

(2) ~~submit~~ submits to the commissioner the documentation described in section 149A.20, subdivision 7, clauses (1) and (5), and certification of a passing score on an examination described in clause (1), item (ii); ~~and~~

(3) ~~pay~~ pays the appropriate licensing fee~~.~~;

(4) submits to the commissioner:

(i) documentation that the person meets one of the educational requirements in section 149A.20, subdivision 4; or

(ii) documentation that the person has been licensed or credentialed in another jurisdiction and a signed, dated affidavit from the person declaring that the person has engaged in at least three years of practice in that jurisdiction performing the duties of a licensed mortician;

(5) submits to the commissioner a signed, dated affidavit from the person declaring that the person is not subject to any pending investigations by the mortuary science licensing or credentialing authority in any other jurisdiction and is not currently practicing as a licensed mortician in any other jurisdiction under a restricted license or credential;

(6) submits to the commissioner a signed, dated affidavit from the person declaring that the person has performed at least 25 services, completed at least 25 funeral arrangements, and performed at least 25 embalming cases; and

(7) submits to the commissioner documentation that the person has completed the continuing education hours required under section 149A.40, subdivision 11, within the two-year period prior to applying for licensure under this subdivision.

(b) When, in the determination of the commissioner, all of the requirements of this subdivision have been met, the commissioner shall, based on all the information available, grant or deny licensure. If the commissioner grants licensure, the applicant shall be notified and the license shall issue and remain valid for a period prescribed on the license, but not to exceed one calendar year from the date of issuance of the license. If the commissioner denies licensure, the commissioner must notify the applicant, in writing, of the denial and provide the specific reason for denial.

ARTICLE 5

MUSIC THERAPY LICENSURE

Section 1. Minnesota Statutes 2024, section 144.0572, subdivision 1, is amended to read:

Subdivision 1. **Criminal history background check requirements.** (a) ~~Beginning January 1, 2018,~~ An applicant for initial licensure, temporary licensure, or relicensure after a lapse in licensure as an audiologist ~~or~~, speech-language pathologist, music therapist, a speech-language pathology

assistant, or ~~an~~ applicant for initial certification as a hearing instrument dispenser, must submit to a criminal history records check of state data completed by the Bureau of Criminal Apprehension (BCA) and a national criminal history records check, including a search of the records of the Federal Bureau of Investigation (FBI).

(b) ~~Beginning January 1, 2020,~~ An applicant for a renewal license or certificate as an audiologist, speech-language pathologist, music therapist, or hearing instrument dispenser who was licensed or obtained a certificate before January 1, 2018, must submit to a criminal history records check of state data completed by the BCA and a national criminal history records check, including a search of the records of the FBI.

(c) An applicant must submit to a background study under chapter 245C.

(d) The criminal history records check must be structured so that any new crimes that an applicant or licensee or certificate holder commits after the initial background check are flagged in the BCA's or FBI's database and reported back to the commissioner of human services.

EFFECTIVE DATE. This section is effective January 1, 2028.

Sec. 2. **[148H.01] SCOPE.**

Sections 148H.01 to 148H.16 apply to individuals who are applicants for licensure, who are licensed, who use protected titles, or who represent that they are licensed as music therapists.

Sec. 3. **[148H.02] DEFINITIONS.**

Subdivision 1. **Scope.** The following terms have the meanings given them and apply to this chapter.

Subd. 2. **Advisory council.** "Advisory council" means the Music Therapy Advisory Council established in section 148H.03.

Subd. 3. **Board-certified music therapist.** "Board-certified music therapist" means an individual who holds a current board certification from the Certification Board for Music Therapists.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of health or a designee.

Subd. 5. **License or licensed.** "License" or "licensed" means the act or status of a person who meets the requirements of general licensure under section 148H.06, temporary licensure under section 148H.08, or licensure by reciprocity under section 148H.09.

Subd. 6. **Licensed professional music therapist or LPMT.** "Licensed professional music therapist" or "LPMT" means an individual licensed to practice music therapy pursuant to this chapter.

Subd. 7. **Music-based interventions.** (a) "Music-based interventions" means the use of music within a therapeutic relationship to accomplish individualized goals for persons of all ages and abilities.

(b) Music-based interventions include but are not limited to music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, singing, music performance,

learning through music, music combined with other arts, music-assisted relaxation, music-based patient education, electronic music intervention, and movement to music.

Subd. 8. **Practice of music therapy.** (a) "Practice of music therapy" means the use of music-based interventions.

(b) The practice of music therapy includes but is not limited to developing individualized music therapy treatment plans specific to the needs and strengths of the client or clients treated individually or in groups in a manner appropriate for the specific client and setting.

(c) The practice of music therapy does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder.

Subd. 9. **Temporary licensure.** "Temporary licensure" means the method of licensure described in section 148H.08, by which an individual who has completed an approved or accredited education program, but has not met the examination requirements, may practice music therapy on a temporary basis.

Sec. 4. **[148H.03] MUSIC THERAPY ADVISORY COUNCIL.**

Subdivision 1. **Establishment.** The Music Therapy Advisory Council is hereby established to:

(1) advise the commissioner regarding music therapy licensure standards;

(2) advise the commissioner regarding enforcement of this chapter;

(3) review investigation summaries of competency violations and make recommendations to the commissioner as to whether the allegations of incompetency are substantiated;

(4) provide for the distribution of information regarding music therapist licensure standards;

(5) review applications and make recommendations to the commissioner on granting or denying licensure or licensure renewal;

(6) review reports of investigations relating to individuals and make recommendations to the commissioner as to whether licensure should be denied or disciplinary action should be taken against the individual; and

(7) perform other duties, as directed by the commissioner.

Subd. 2. **Membership.** The commissioner shall appoint six members to the Music Therapy Advisory Council consisting of the following:

(1) three professional music therapists licensed under this chapter who must be employed in a different practice area or employment setting and must include:

(i) at least one licensed professional music therapist member who is currently engaged and for five years immediately preceding their appointment has been engaged in the practice of music therapy in Minnesota; and

(ii) at least one licensed professional music therapist member employed outside the seven-county metropolitan area; and

(2) three public members as defined in section 214.02 who must include:

(i) two public members who are either personally receiving music therapy services or are family members of or caregivers to a person receiving music therapy services; and

(ii) at least one public member who is a professional from a related profession, including but not limited to the professions of speech-language pathology, registered hospice nursing, special education services, and psychology.

Subd. 3. **Administration.** (a) The advisory council is organized and administered under section 15.059.

(b) Upon request of the advisory council, the commissioner must provide meeting space and administrative services for the council.

(c) The members of the advisory council must elect a chair from members of the advisory council at the initial meeting.

Subd. 4. **Term limits.** Advisory council members must not serve for more than two full consecutive terms.

Subd. 5. **Recommendations for appointment.** The Music Therapy Association of Minnesota and other interested persons and organizations may recommend to the commissioner members qualified for appointment to fill a vacancy or anticipated vacancy to the council. Recommendations under this subdivision must be communicated to the commissioner no later than 60 days after a position on the board becomes vacant. The commissioner may appoint members to the board from the list of persons recommended or from among other qualified candidates.

Subd. 6. **Initial Music Therapy Advisory Council.** (a) The first music therapist members appointed to the Music Therapy Advisory Council need not be licensed under this chapter but must meet the qualifications for licensure under section 148H.06. The commissioner shall make the initial appointments to the Music Therapy Advisory Council by August 1, 2027.

(b) The commissioner shall convene the first meeting of the Music Therapy Advisory Council by September 1, 2027.

Subd. 7. **Expiration.** Notwithstanding section 15.059, the advisory council does not expire.

Sec. 5. **[148H.04] UNAUTHORIZED PRACTICE; PROTECTED TITLES; EXEMPT PERSONS.**

Subdivision 1. **Unlicensed practice prohibited.** Effective January 1, 2028, an individual must be licensed as a music therapist under this chapter to practice music therapy.

Subd. 2. **Protected titles and restrictions on use.** (a) Use of the term "licensed music therapist," "music therapist," "licensed professional music therapist," "LPMT," or similar titles or terms to

indicate or imply that the person is licensed by the state as a music therapist is prohibited unless that person is licensed under this chapter.

(b) Use of the term "board-certified music therapist" or similar titles or terms to indicate or imply that the person is certified by the Certification Board for Music Therapists is prohibited unless the person is licensed under this chapter and holds a valid certification from the Certification Board for Music Therapists.

Subd. 3. **Exempt persons.** This chapter does not apply to:

(1) any person who is licensed, registered, or certified under the laws of this state in another profession or occupation who is performing services including the use of music incidental to the practice of that profession or occupation in which the person is licensed, registered, or certified if the person does not represent themselves to the public as a music therapist. This exception includes but is not limited to licensed physicians, psychologists, registered nurses, advance practice registered nurses, professional counselors, social workers, occupational therapists, alcohol and drug counselors, speech-language pathologists, audiologists, or personnel supervised by a licensed professional;

(2) a person employed as a music therapist by the government of the United States or any federal agency. A person who is exempt under this clause may use the protected titles identified in subdivision 2, but only in connection with performing official duties for the federal government;

(3) the practice of music therapy as an integral part of a program of study for students enrolled in an accredited music therapy program;

(4) a person who practices music therapy under the supervision of a licensed professional music therapist, if the person is not represented to the public as a music therapist; or

(5) a person who is trained and certified by a nationally accredited certifying organization as a music healing professional and who practices within the scope of the specific training and certification of the specific music healing profession, if the person is not represented to the public as a music therapist.

Sec. 6. **[148H.05] LICENSURE QUALIFICATIONS.**

(a) An applicant for licensure must comply with the relevant application requirements for general licensure under section 148H.06, temporary licensure under section 148H.08, or licensure by reciprocity under section 148H.09.

(b) To qualify for licensure, an applicant must not be subject to denial of licensure under section 148H.15 and must satisfy one of the following:

(1) meet the general licensure requirements in section 148H.06;

(2) meet the temporary licensure requirements in section 148H.08; or

(3) meet the licensure by reciprocity requirements in section 148H.09.

Sec. 7. **[148H.06] GENERAL LICENSURE REQUIREMENTS.**

(a) An applicant for licensure must:

(1) be 18 years of age or older;

(2) have completed all academic and fieldwork to obtain a bachelor's degree or higher in music therapy, or its equivalent, from a music therapy program at a college or university approved or accredited by the American Music Therapy Association; and

(3) have passed the examination for board certification offered by the Certification Board for Music Therapists or any successor organization or have been transitioned into board certification.

(b) The applicant is responsible for making all arrangements and incurring all expenses for taking the board certification examination under paragraph (a), clause (3). The applicant must send their examination scores under paragraph (a), clause (3), directly to the commissioner.

Sec. 8. **[148H.07] GENERAL APPLICATION PROCEDURES.**

Subdivision 1. **Application for general licensure.** (a) An applicant for general licensure must submit:

(1) a completed application in writing on a form prescribed by the commissioner;

(2) documentation of current board certification by the Certification Board of Music Therapists;

(3) a signed statement attesting that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(4) a waiver authorizing the commissioner to obtain access to the applicant's professional records in this or any other state in which the applicant has practiced music therapy;

(5) all relevant fees required under section 148H.16;

(6) a fingerprint-based background check as required under section 144.0572; and

(7) any other information requested by the commissioner.

(b) An applicant must complete a new criminal history background check if more than one year has elapsed since the applicant last applied for a license.

Subd. 2. **Application form requirements.** The application form for licensure must include, at a minimum, the applicant's:

(1) name;

(2) board certification number;

(3) business address and telephone number, or home address and telephone number if the applicant practices music therapy out of the applicant's home; and

(4) education, training, and experience, including previous work history for the five years immediately preceding the date of application.

Subd. 3. **Action on application for licensure.** (a) The commissioner shall act on all applications for licensure. The commissioner shall approve, approve with conditions, or deny an application. The commissioner shall address an application according to paragraphs (b) to (e).

(b) The commissioner shall determine if the applicant meets the requirements for licensure. The commissioner or the advisory council may investigate information provided by the applicant to determine whether the information is accurate and complete.

(c) The commissioner shall not issue a license to an applicant who refuses to consent to a background study within 90 days after the submission of an application or who fails to submit fingerprints to the Department of Human Services. The applicant forfeits any fees paid to the Department of Health if the applicant refuses to consent to a background study.

(d) The commissioner shall notify the applicant by electronic notification as required under sections 15.991 to 15.992 of the action taken on the application and, if licensure is denied or approved with conditions, the grounds for the commissioner's determination.

(e) An applicant denied licensure or granted licensure with conditions may make a written request to the commissioner, within 30 days of the date of the commissioner's determination, for reconsideration of the commissioner's determination. An applicant requesting reconsideration may submit information that the applicant wants considered in the reconsideration. After reconsideration of the commissioner's determination, the commissioner shall determine whether the original determination is affirmed or modified. An applicant is allowed no more than one request for reconsideration of the commissioner's determination to deny licensure or approve licensure with conditions in any two-year period.

Subd. 4. **Reconsideration** (a) If a provisional licensee whose music therapy license has been denied or extended with conditions disagrees with the conclusions of the commissioner, the provisional licensee may request a reconsideration by the commissioner. The reconsideration request process must be conducted internally by the commissioner and chapter 14 does not apply.

(b) The provisional licensee requesting the reconsideration must make the request in writing and must list and describe the reasons why the provisional licensee disagrees with the decision to deny the music therapy license or the decision to extend the provisional license with conditions.

(c) The reconsideration request and supporting documentation must be received by the commissioner within 15 calendar days after the date the provisional licensee receives the denial or provisional license with conditions.

Sec. 9. **[148H.08] TEMPORARY LICENSURE.**

Subdivision 1. **Eligibility for temporary licensure.** The commissioner shall issue a temporary license to practice music therapy to applicants who submit all required information and fees required by subdivision 2 and who are not the subject of a current or past disciplinary action or disqualified based on actions listed under section 148H.15.

Subd. 2. **Application for temporary licensure.** (a) An applicant for temporary licensure must submit:

(1) a completed application for temporary licensure on forms provided by the commissioner;

(2) any applicable fees under section 148H.16; and

(3) evidence of one of the following:

(i) completion of all academic and fieldwork requirements of a college or university program for music therapists that is approved or accredited by the American Music Therapy Association and either (1) the initiation of sitting for the board certification exam for the first time, or (2) sitting to retake the board certification exam after receiving a failing score;

(ii) a copy of a current and unrestricted credential to practice music therapy in another jurisdiction; or

(iii) a copy of a current and unrestricted certificate from the Certification Board for Music Therapists stating that the applicant is certified as a music therapist.

(b) An applicant for temporary licensure under paragraph (a), clause (3), item (ii) or (iii), must provide an affidavit with the application for temporary licensure stating that the applicant is not the subject of a pending investigation or disciplinary action and has not been the subject of a past disciplinary action.

Subd. 3. **Qualifying examination requirements; expiration and renewability.** (a) An individual issued a temporary license must demonstrate to the commissioner successful completion of the qualifying examination requirements under section 148H.06 within the temporary licensure period. It is the temporary license holder's obligation to submit to the commissioner the temporary license holder's qualifying examination score. A temporary license holder who fails to submit a qualifying examination score within the temporary licensure period is subject to disciplinary action pursuant to section 148H.15.

(b) A temporary license issued under this section expires 12 months from the date of issuance or on the date the commissioner grants or denies licensure, whichever occurs first.

(c) A temporary license is not renewable.

Sec. 10. **[148H.09] LICENSURE BY RECIPROCITY.**

The commissioner shall issue a license to an applicant for a music therapy license if an applicant has submitted:

(1) an application in a form and manner prescribed by the commissioner, accompanied by applicable fees under section 148H.16;

(2) evidence satisfactory to the commissioner that the applicant is licensed and in good standing as a music therapist in another jurisdiction where the qualifications required are equivalent to or higher than those required in this chapter at the date of application;

(3) letters of verification from each other jurisdiction in which the applicant has practiced music therapy in the last five years including the following information:

(i) the applicant's name;

(ii) the applicant's date of birth;

(iii) the applicant's credential number in that jurisdiction;

(iv) the date and terms of issuance of the credential in that jurisdiction; and

(v) a statement regarding disciplinary actions, if any, taken against the applicant; and

(4) a fingerprint-based background check as required under section 144.0572.

Sec. 11. **[148H.10] CONTINUING EDUCATION REQUIREMENTS.**

(a) Upon obtaining initial board certification, licensees and applicants must engage in continuing education.

(b) The five-year cycle for completing continuing education requirements begins a year after a licensee or applicant passes the examination for board certification offered by the Certification Board for Music Therapists or any successor organization.

(c) An applicant must include proof of completion of Continuing Music Therapy Education (CMTE) requirements with their certification from the Certification Board for Music Therapists or any successor organization each time they renew their license to practice music therapy.

Sec. 12. **[148H.11] RENEWAL OF LICENSE; LICENSE LAPSE.**

Subdivision 1. **Renewal requirements.** To be eligible for license renewal, a licensee must submit:

(1) a completed and signed application for license renewal on a form provided by the commissioner;

(2) the renewal fee required under section 148H.16;

(3) proof that the licensee has met and maintained the continuing education requirements under section 148H.10 and board certification as a board-certified music therapist; and

(4) additional information as requested by the commissioner to clarify information presented in the renewal application. The applicant for license renewal must submit any additional information requested by the commissioner within 30 calendar days of the request.

Subd. 2. **Renewal deadline.** (a) Licenses must be renewed every two years. The effective date of a renewed license is the day following the expiration date of the expired license.

(b) Each license must state an expiration date.

(c) A completed application for license renewal must be received by the commissioner at least 30 days before the license expiration date.

(d) A completed application for license renewal not received within the time required under paragraph (c), but received on or before the expiration date, must be accompanied by a late fee in addition to the renewal fee in section 148H.16.

Subd. 3. **Licensure renewal notice.** At least 60 calendar days before the expiration date in subdivision 2, the commissioner must send a renewal notice to the licensee's email address on file with the commissioner. The notice must include information on how to apply for licensure renewal and notice of fees required for renewal. The licensee's failure to receive the notice does not relieve the licensee of the obligation to meet the renewal deadline and other requirements for licensure renewal.

Subd. 4. **Failure to renew.** (a) If a licensee fails to renew a license, the license lapses. The license may be restored within four years of the expiration date upon completion of the requirements in subdivision 1 and payment of the late fee in section 148H.16.

(b) A person who requests reinstatement of a lapsed license more than four years after the license expiration date is required to reapply for licensure as a new applicant and must comply with the requirements for new licensees at the time of application.

Sec. 13. **[148H.12] CHANGE OF NAME, ADDRESS, OR EMPLOYMENT.**

A licensee who changes their name, address, employment, business address, or business telephone number must inform the commissioner of the change in writing within 30 days of the change. A change in name must be accompanied by a copy of a marriage certificate or court order. All notices or other correspondence mailed to or served on the licensee by the commissioner at the licensee's address on file with the commissioner is considered received by the licensee.

Sec. 14. **[148H.13] PRACTICE OF MUSIC THERAPY.**

Subdivision 1. **Referrals.** A licensed music therapist may accept referrals for music therapy services from medical, developmental, mental health, or education professionals; family members; clients; caregivers; or others involved and authorized to provide services to the client.

Subd. 2. **Assessment.** A licensed music therapist must conduct a music therapy assessment of a client to determine if treatment is indicated. If treatment is indicated, the licensee must collect systematic, comprehensive, and accurate information to determine the appropriateness and type of music therapy services to provide the client.

Subd. 3. **Knowledge and skill.** A licensed music therapist must use appropriate knowledge and skills when providing music therapy services, including the use of research, reasoning, and problem-solving skills to determine appropriate actions in the context of each specific clinical setting.

Subd. 4. **Treatment plan.** A licensed music therapist must develop an individualized music therapy treatment plan for the client based on the results of the music therapy assessment under paragraph (c). The music therapy treatment plan must include individualized goals and objectives that focus on the assessed needs and strengths of the client and must specify music therapy approaches and interventions to be used to address the goals and objectives. The individualized music therapy treatment plan must be consistent with any other developmental, rehabilitative, habilitative, medical, mental health, preventive, wellness care, or educational services being provided to the client.

Subd. 5. **Evaluation; client progress.** A licensed music therapist shall evaluate on an ongoing basis the client's response to music therapy and to the music therapy treatment plan, document the client's progress, and make modifications to the plan, as appropriate. A licensed music therapist shall determine when music therapy services are no longer needed in collaboration with the client, the client's health care provider or providers, family members of the client, and other appropriate individuals upon whom the client relies for support.

Subd. 6. **Communication with client and others.** A licensed music therapist shall collaborate with and educate the client and the client's family, caregiver, and any other appropriate individual regarding the needs of the client being addressed in music therapy and the manner in which the music therapy treatment addresses those needs. A licensed music therapist shall minimize any barriers to ensure that the client receives music therapy services in the least restrictive environment.

Sec. 15. **[148H.14] REVIEW OF CLIENT DOCUMENTATION; COLLABORATION WITH OTHER TREATING PROFESSIONALS.**

Subdivision 1. **Review of diagnosis, treatment, and educational plans.** Before a licensed professional music therapist provides music therapy services to a client for an identified clinical or developmental need, the music therapist shall review the client's diagnosis, treatment needs, and treatment plan with any care or support team involved in the client's care. Before a licensed professional music therapist provides music therapy services to a client for an identified educational need in a special education setting, the music therapist shall review the student's diagnosis, treatment needs, and any treatment plan with the individualized family care team or individualized education program team.

Subd. 2. **Collaboration with treatment team.** During the provision of music therapy services to a client, the licensed professional music therapist shall collaborate as applicable with the client's treatment team, including the client's physician, psychologist, licensed clinical social worker, or other mental health professional.

Subd. 3. **Collaboration with and services provided by an audiologist or speech-language pathologist.** (a) During the provision of music therapy services to a client with a communication disorder, the licensed professional music therapist shall collaborate and discuss the music therapy treatment plan with the client's audiologist or speech-language pathologist before a licensed professional music therapist is permitted to work with the client and address communication skills.

(b) When providing educational or health care services, a licensed professional music therapist must not replace the services provided by an audiologist or a speech-language pathologist. Unless authorized to practice speech-language pathology, licensed professional music therapists must not evaluate, examine, instruct, or counsel on speech, language, communication, or swallowing disorders and conditions.

(c) An individual licensed as a licensed professional music therapist must not represent to the public that the individual is authorized to treat a communication disorder. This does not prohibit an individual licensed as a professional music therapist from representing to the public that the individual may work with clients who have a communication disorder and address communication skills.

Sec. 16. **[148H.15] GROUNDS FOR DENIAL OF LICENSURE AND DISCIPLINE; DISCIPLINARY ACTION.**

Subdivision 1. **Grounds for denial of license or discipline.** The commissioner may revoke, suspend, deny, approve with conditions, or refuse to issue or renew a license, or may discipline a licensee using any of the disciplinary actions listed in subdivision 3, on evidence that the individual has:

(1) intentionally submitted false or misleading information to the commissioner;

(2) failed, within 30 days, to provide information in response to a written request by the board;

(3) performed services of a licensed professional music therapist in an incompetent or negligent manner or in a manner that falls below the community standard of care;

(4) violated sections 148H.01 to 148H.16;

(5) aided or abetted another person in violating any provision of sections 148H.01 to 148H.16;

(6) failed to perform services with reasonable judgment, skill, or safety due to the use of alcohol or drugs, or other physical or mental impairment;

(7) been convicted of violating any state or federal law, rule, or regulation which directly relates to the practice of music therapy;

(8) been disciplined for conduct in the practice of an occupation by the state of Minnesota, another jurisdiction, or a national professional association, if any of the grounds for discipline are the same or substantially equivalent to those in sections 148H.01 to 148H.16;

(9) not cooperated with the board in an investigation conducted according to subdivision 2;

(10) advertised in a manner that is false or misleading;

(11) engaged in dishonest, unethical, or unprofessional conduct in connection with the practice of music therapy that is likely to deceive, defraud, or harm the public;

(12) demonstrated a willful or careless disregard for the health, welfare, or safety of a client;

(13) provided intervention, other than music therapy, without being licensed to do so under the laws of this state;

(14) paid or promised to pay a commission or part of a fee to any person who contacts the licensed professional music therapist for consultation or sends patients to the music therapist for intervention;

(15) engaged in an incentive payment arrangement, other than that prohibited by clause (14), that promotes music therapy overutilization, whereby the referring person or person who controls the availability of music therapy services to a client profits unreasonably as a result of client intervention;

(16) engaged in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws, Food and Drug Administration regulations, or state medical assistance laws;

(17) obtained money, property, or services from a consumer using undue influence, high-pressure sales tactics, harassment, duress, deception, or fraud;

(18) performed services for a client who had no possibility of benefiting from the services;

(19) failed to refer a client for medical evaluation when appropriate or when a client indicated symptoms associated with diseases that could be medically or surgically treated;

(20) engaged in conduct with a client that is sexual or may reasonably be interpreted by a client as sexual, or in any verbal behavior that is sexual or sexually demeaning to a patient;

(21) violated a federal or state court order, including a conciliation court judgment, or a disciplinary order issued by the board, related to the person's music therapy practice; or

(22) any other just cause related to the practice of music therapy.

Subd. 2. **Investigation of complaints.** The commissioner may initiate an investigation upon receiving a complaint or other oral or written communication that alleges or implies that a person has violated any part of this chapter.

Subd. 3. **Disciplinary actions.** If the commissioner finds that a licensed professional music therapist has engaged in any action listed in subdivision 1, the commissioner may take one or more of the following actions:

(1) refuse to grant or renew a license;

(2) approve licensure with conditions;

(3) revoke licensure;

(4) suspend licensure;

(5) any reasonable lesser action, including but not limited to reprimand or restriction on licensure;

(6) any action authorized by statute; or

(7) impose a civil penalty not to exceed $10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the licensed professional music therapist of any economic advantage gained by reason of the violation charged, to discourage similar violations, or to reimburse the Department of Health for the cost of the investigation and proceeding, including but not limited to fees paid for services provided by the Office of Administrative Hearings, legal and investigative services provided by the Office of the Attorney General, court reporters, witnesses, reproduction of records, advisory council members' per diem compensation, advisory council or Department of Health staff time, and travel costs and expenses incurred by advisory council staff and members and Department of Health staff.

Subd. 4. **Effect of specific disciplinary action on use of title.** Upon notice from the commissioner denying licensure renewal or upon notice that the commissioner imposed disciplinary action and the person is no longer entitled to practice music therapy and use the music therapy and

licensed titles, the person shall cease to practice music therapy, to use titles protected by section 148H.04, and to represent to the public that the person is licensed by the commissioner.

Subd. 5. **Reinstatement requirements after disciplinary action.** A person who has had licensure suspended may request and provide justification for reinstatement following the period of suspension specified by the commissioner. The requirements of section 148H.11 for renewing licensure and any other conditions imposed with the suspension must be met before licensure may be reinstated.

Sec. 17. **[148H.16] FEES.**

Subdivision 1. **Licensing fees.** (a) Licensing fees shall not exceed the following amounts:

(1) initial licensure fee, $296;

(2) temporary licensure fee, $75;

(3) licensure renewal fee, $296;

(4) licensure renewal late fee, $115;

(5) license verification, $25; and

(6) duplicate license fee, $20.

(b) Fees are nonrefundable.

(c) Fees received under this chapter shall be deposited in the state government special revenue fund.

Subd. 2. **Penalty fees.** (a) The penalty fee for practicing music therapy or using protected titles without a current license after the credential has expired and before it is renewed is $100 for any part of the first month, plus $100 for any part of any subsequent month up to 12 months.

(b) The penalty fee for applicants who engage in the unauthorized practice of music therapy or use protected titles before being issued a license is $200 for any part of the first month, plus $200 for any part of any subsequent month up to six months. This paragraph does not apply to applicants not qualifying for a license who engage in the unauthorized practice of music therapy.

(c) For conduct described in paragraph (a) or (b) exceeding six months, payment of a penalty fee does not preclude any disciplinary action reasonably justified by the individual case.

ARTICLE 6

SOCIAL WORK PRACTICE

Section 1. Minnesota Statutes 2024, section 148E.065, subdivision 4a, is amended to read:

Subd. 4a. **City, county, and state social workers.** (a) Beginning July 1, 2016, the licensure of city, county, and state agency social workers is voluntary, except an individual who is newly employed by a city or state agency after July 1, 2016, must be licensed if the individual who provides social

work services, as those services are defined in section 148E.010, subdivision 11, paragraph (b), is presented to the public by any title incorporating the words "social work" or "social worker."

(b) Beginning July 1, 2026, a county agency social worker who does not hold a baccalaureate degree or graduate degree in social work or who is not licensed under this chapter must not be presented to the public by any title incorporating the words "social work" or "social worker," unless the individual was employed by the county agency prior to July 1, 2027. This paragraph is not grounds for the modification or removal of any right or benefit accrued under a collective bargaining agreement ratified before July 1, 2026.

Sec. 2. Minnesota Statutes 2024, section 148E.195, subdivision 2a, is amended to read:

Subd. 2a. **Representations.** Effective July 1, 2016:

(a) No applicant or other individual may be represented to the public by any title incorporating the words "social work" or "social worker" unless the individual is employed by a county and meets the requirements under section 148E.065, subdivision 4a, or holds a license according to this chapter.

(b) In all professional use of a social worker's name, the social worker must use the license designation "LSW" or "licensed social worker" for a licensed social worker, "LGSW" or "licensed graduate social worker" for a licensed graduate social worker, "LISW" or "licensed independent social worker" for a licensed independent social worker, or "LICSW" or "licensed independent clinical social worker" for a licensed independent clinical social worker.

(c) Public statements or advertisements must not be untruthful, misleading, false, fraudulent, deceptive, or potentially exploitative of clients, former clients, interns, students, supervisees, or the public.

(d) A social worker must not:

(1) use licensure status as a claim, promise, or guarantee of successful service;

(2) obtain a license by cheating or employing fraud or deception;

(3) make false statements or misrepresentations to the board or in materials submitted to the board; or

(4) engage in conduct that has the potential to deceive or defraud a social work client, intern, student, supervisee, or the public.

Sec. 3. Minnesota Statutes 2024, section 148E.280, is amended to read:

148E.280 USE OF TITLES.

No individual may be presented to the public by any title incorporating the words "social work" or "social worker" or in the titles in section 148E.195, unless that individual is employed by a county and meets the requirements under section 148E.065, subdivision 4a, or holds a license under this chapter.

ARTICLE 7

DENTISTRY PRACTICE

Section 1. Minnesota Statutes 2024, section 150A.01, subdivision 6a, is amended to read:

Subd. 6a. **Faculty dentist.** "Faculty dentist" means a person who is licensed to practice dentistry as a faculty member of a ~~school of dentistry~~ dental education program, pursuant to section 150A.06, subdivision 1a.

Sec. 2. Minnesota Statutes 2024, section 150A.05, subdivision 1, is amended to read:

Subdivision 1. **Practice of dentistry.** A person shall be deemed to be practicing dentistry within the meaning of sections 150A.01 to 150A.12:

(1) who uses a dental degree, or designation, or card, device, directory, sign, or other media whereby the person represents an ability to diagnose, treat, prescribe, or operate for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums or jaw, or adjacent or associated structures;

(2) who is a manager, proprietor, operator or conductor of a place where dental operations are performed;

(3) who performs dental operations of any kind gratuitously, or for a fee, gift, compensation or reward, paid or to be paid, to any person or agency;

(4) who uses a roentgen or x-ray machine for dental treatment, roentgenograms or for dental diagnostic purposes;

(5) who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws;

(6) who offers and undertakes, by any means or method, to diagnose, treat or remove stains or accretions from human teeth or jaws;

(7) who takes impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated tissues by means of a filling, a crown, a bridge, a denture or other appliance;

(8) who furnishes, supplies, constructs, reproduces, repairs, or offers to furnish, supply, construct, reproduce or repair prosthetic dentures or plates, bridges or other substitutes for natural teeth, to the user or prospective user thereof; or

(9) who performs any clinical operation included in the curricula of recognized dental ~~schools and colleges~~ education programs.

Sec. 3. Minnesota Statutes 2024, section 150A.05, subdivision 2, is amended to read:

Subd. 2. **Exemptions and exceptions of certain practices and operations.** Sections 150A.01 to 150A.12 do not apply to:

(1) the practice of dentistry or dental hygiene in any branch of the armed services of the United States, the United States Public Health Service, or the United States Veterans Administration;

(2) the practice of dentistry, dental hygiene, or dental assisting by undergraduate dental students, dental therapy students, dental hygiene students, and dental assisting students of the University of Minnesota~~, schools of dentistry~~ or dental or allied dental education programs that are accredited by the Commission on Dental Accreditation (CODA), ~~schools of dental hygiene, schools with a dental therapy education program, or schools of dental assisting approved by the board,~~ when acting under the indirect supervision of a Minnesota licensed dentist and under the instruction of a licensed dentist, licensed dental therapist, licensed dental hygienist, or licensed dental assistant;

(3) the practice of dentistry by licensed dentists of other states or countries while appearing as clinicians under the auspices of a duly approved dental ~~school or college~~ education program, or a reputable dental society, or a reputable dental study club composed of dentists;

(4) the actions of persons while they are taking examinations for licensure administered or approved by the board pursuant to sections 150A.03, subdivision 1, and 150A.06, subdivisions 1, 2, and 2a;

(5) the practice of dentistry by dentists and dental hygienists licensed by other states during their functioning as examiners responsible for conducting licensure examinations administered by regional and national testing agencies with whom the board is authorized to affiliate and participate under section 150A.03, subdivision 1, and the practice of dentistry by the regional and national testing agencies during their administering examinations pursuant to section 150A.03, subdivision 1;

(6) the use of x-rays or other diagnostic imaging modalities for making radiographs or other similar records in a hospital under the supervision of a physician or dentist or by a person who is credentialed to use diagnostic imaging modalities or x-ray machines for dental treatment, roentgenograms, or dental diagnostic purposes by a credentialing agency other than the Board of Dentistry; or

(7) the service, other than service performed directly upon the person of a patient, of constructing, altering, repairing, or duplicating any denture, partial denture, crown, bridge, splint, orthodontic, prosthetic, or other dental appliance, when performed according to a written work order from a licensed dentist or a licensed advanced dental therapist in accordance with section 150A.10, subdivision 3.

Sec. 4. Minnesota Statutes 2024, section 150A.06, subdivision 1, is amended to read:

Subdivision 1. **Dentists.** A person of good moral character who has graduated from a dental education program accredited by the Commission on Dental Accreditation, having submitted an application and fee as prescribed by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in a manner to test the applicant's fitness to practice dentistry. A graduate of a dental ~~college~~ education program in another country must not be disqualified from examination solely because of the applicant's foreign training if the board determines that the training is equivalent to or higher than that provided by a dental ~~college~~ education program accredited by the Commission on Dental Accreditation. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants shall take the examination prior to applying to the board

for licensure. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant is ineligible to retake the clinical examination required by the board after failing it twice until further education and training are obtained as specified by the board by rule. A separate, nonrefundable fee may be charged for each time a person applies. An applicant who passes the examination in compliance with subdivision 2b, abides by professional ethical conduct requirements, and meets all other requirements of the board shall be licensed to practice dentistry and granted a general dentist license by the board.

Sec. 5. Minnesota Statutes 2024, section 150A.06, subdivision 1a, is amended to read:

Subd. 1a. **Faculty dentists.** (a) Faculty members of a ~~school of dentistry~~ dental education program must be licensed in order to practice dentistry as defined in section 150A.05. The board may issue to members of the faculty of a ~~school of dentistry~~ dental education program a license designated as either a "limited faculty license" or a "full faculty license" entitling the holder to practice dentistry within the terms described in paragraph (b) or (c). The dean of a ~~school of dentistry~~ dental education program and program directors of a Minnesota dental hygiene or dental assisting ~~school~~ education program accredited by the Commission on Dental Accreditation shall certify to the board those members of the ~~school's~~ education program faculty who practice dentistry but are not licensed to practice dentistry in Minnesota. A faculty member who practices dentistry as defined in section 150A.05, before beginning duties in a ~~school of dentistry or a dental hygiene or dental assisting school~~ dental or allied dental education program, shall apply to the board for a limited or full faculty license. Pursuant to Minnesota Rules, chapter 3100, and at the discretion of the board, a limited faculty license must be renewed annually and a full faculty license must be renewed biennially. The faculty applicant shall pay a nonrefundable fee set by the board for issuing and renewing the faculty license. The faculty license is valid during the time the holder remains a member of the faculty of a ~~school of dentistry or a dental hygiene or dental assisting school~~ dental or allied dental education program and subjects the holder to this chapter.

(b) The board may issue to dentist members of the faculty ~~of~~ teaching in a Minnesota ~~school of dentistry, dental hygiene, or dental assisting~~ dental or allied dental education program accredited by the Commission on Dental Accreditation, a license designated as a limited faculty license entitling the holder to practice dentistry within the ~~school~~ education program and its affiliated teaching facilities, but only for the purposes of teaching or conducting research. The practice of dentistry at ~~a school~~ an education program facility for purposes other than teaching or research is not allowed unless the dentist was a faculty member on August 1, 1993.

(c) The board may issue to dentist members of the faculty ~~of~~ teaching in a Minnesota ~~school of dentistry, dental hygiene, or dental assisting~~ dental or allied dental education program accredited by the Commission on Dental Accreditation a license designated as a full faculty license entitling the holder to practice dentistry within the ~~school~~ education program and its affiliated teaching facilities and elsewhere if the holder of the license is employed 50 percent time or more by the ~~school~~ education program in the practice of teaching or research, and upon successful review by the board of the applicant's qualifications as described in subdivisions 1, 1c, and 4 and board rule. The board, at its discretion, may waive specific licensing prerequisites.

Sec. 6. Minnesota Statutes 2024, section 150A.06, subdivision 1b, is amended to read:

Subd. 1b. **Resident dentists.** A person who is a graduate of a dental ~~school~~ education program and is an enrolled graduate student or student of an accredited advanced dental education program and who is not licensed to practice dentistry in the state shall obtain from the board a license to practice dentistry as a resident dentist. The license must be designated "resident dentist license" and authorizes the licensee to practice dentistry only under the supervision of a licensed dentist. A University of Minnesota School of Dentistry dental resident holding a resident dentist license is eligible for enrollment in medical assistance, as provided under section 256B.0625, subdivision 9b. A resident dentist license must be renewed annually pursuant to the board's rules. An applicant for a resident dentist license shall pay a nonrefundable fee set by the board for issuing and renewing the license. The requirements of sections 150A.01 to 150A.21 apply to resident dentists except as specified in rules adopted by the board. A resident dentist license does not qualify a person for licensure under subdivision 1.

Sec. 7. Minnesota Statutes 2024, section 150A.06, subdivision 1c, is amended to read:

Subd. 1c. **Specialty dentists.** (a) The board may grant one or more specialty licenses in the specialty areas of dentistry that are recognized by the National Commission on Recognition of Dental ~~Accreditation~~ Specialties and Certifying Board (National Commission).

(b) An applicant for a specialty license shall:

(1) have successfully completed a postdoctoral specialty education program accredited by the Commission on Dental Accreditation, or have announced a limitation of practice before 1967;

(2) have been certified by a specialty board approved by the Minnesota Board of Dentistry, or provide evidence of having passed a clinical examination for licensure required for practice in any state or Canadian province, or in the case of oral and maxillofacial surgeons only, have a Minnesota medical license in good standing;

(3) have been in active practice or a postdoctoral specialty education program or United States government service at least 2,000 hours in the 36 months prior to applying for a specialty license;

~~(4) if requested by the board, be interviewed by a committee of the board, which may include the assistance of specialists in the evaluation process, and satisfactorily respond to questions designed to determine the applicant's knowledge of dental subjects and ability to practice;~~

~~(5) if requested by the board, present complete records on a sample of patients treated by the applicant. The sample must be drawn from patients treated by the applicant during the 36 months preceding the date of application. The number of records shall be established by the board. The records shall be reasonably representative of the treatment typically provided by the applicant for each specialty area;~~

~~(6) at board discretion, pass a board-approved English proficiency test if English is not the applicant's primary language;~~

~~(7)~~ (4) pass all components of the National Board Dental Examinations;

~~(8)~~ (5) pass the Minnesota Board of Dentistry jurisprudence examination;

~~(9)~~ (6) abide by professional ethical conduct requirements; and

~~(10)~~ (7) meet all other requirements prescribed by the Board of Dentistry.

(c) The application must include:

(1) a completed application furnished by the board;

(2) a nonrefundable fee; and

(3) a copy of the applicant's government-issued photo identification card.

(d) A specialty dentist holding one or more specialty licenses is limited to practicing in the dentist's designated specialty area or areas. The scope of practice must be defined by each national specialty board recognized by the National Commission ~~on Dental Accreditation~~.

(e) All specialty dentists who have fulfilled the specialty dentist requirements and who intend to limit their practice to a particular specialty area or areas may apply for one or more specialty licenses.

Sec. 8. Minnesota Statutes 2024, section 150A.06, subdivision 2, is amended to read:

Subd. 2. **Dental hygienists.** A person of good moral character, who has graduated from a dental hygiene education program accredited by the Commission on Dental Accreditation and established in an institution accredited by an agency recognized by the United States Department of Education to offer college-level programs, may apply for licensure. The dental hygiene education program must provide a minimum of two academic years of dental hygiene education. The applicant must submit an application and fee as prescribed by the board and a diploma or certificate of dental hygiene. Prior to being licensed, the applicant must pass the National Board of Dental Hygiene examination and a board approved examination designed to determine the applicant's clinical competency. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants shall take the examination before applying to the board for licensure. The applicant must also pass an examination testing the applicant's knowledge of the laws of Minnesota relating to the practice of dentistry and of the rules of the board. An applicant is ineligible to retake the clinical examination required by the board after failing it twice until further education and training are obtained as specified by board rule. A separate, nonrefundable fee may be charged for each time a person applies. An applicant who passes the examination in compliance with subdivision 2b, abides by professional ethical conduct requirements, and meets all the other requirements of the board shall be licensed as a dental hygienist.

Sec. 9. Minnesota Statutes 2024, section 150A.06, subdivision 2a, is amended to read:

Subd. 2a. **Licensed dental assistant.** A person of good moral character, who has graduated from a dental assisting education program accredited by the Commission on Dental Accreditation, may apply for licensure. The applicant must submit an application and fee as prescribed by the board and the diploma or certificate of dental assisting. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants shall take the examination before applying to the board for licensure. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. ~~An applicant is ineligible to retake~~

~~the licensure examination required by the board after failing it twice until further education and training are obtained as specified by board rule.~~ A separate, nonrefundable fee may be charged for each time a person applies. An applicant who passes the examination in compliance with subdivision 2b, abides by professional ethical conduct requirements, and meets all the other requirements of the board shall be licensed as a dental assistant.

Sec. 10. Minnesota Statutes 2024, section 150A.06, subdivision 2c, is amended to read:

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

(1) the dentist, dental therapist, dental hygienist, or dental assistant is currently licensed in good standing in another United States jurisdiction;

(2) the dentist, dental therapist, dental hygienist, or dental assistant is currently engaged in the practice of that person's respective profession in another United States jurisdiction;

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

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

(5) the dentist, dental therapist, dental hygienist, or dental assistant has applied to the board for a guest license and has paid a nonrefundable license fee to the board.

(b) A guest license must be renewed annually with the board and an annual renewal fee must be paid to the board. Guest licenses expire on December 31 of each year.

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

(d) The board may grant a guest license to a dentist, dental therapist, dental hygienist, or dental assistant licensed in another United States jurisdiction to provide dental care to patients on a voluntary basis without compensation for a limited period of time. The board shall not assess a fee for the guest license for volunteer services issued under this paragraph.

(e) The board shall issue a guest license for volunteer services if:

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

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

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

(f) The guest license for volunteer services shall limit the licensee to providing dental care services for a period of time not to exceed ten days in a calendar year. Guest licenses expire on December 31 of each year.

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

Sec. 11. Minnesota Statutes 2024, section 150A.06, subdivision 2d, is amended to read:

Subd. 2d. **Continuing education and professional development waiver.** (a) The board shall grant a waiver to the continuing education requirements under this chapter for a licensed dentist, licensed dental therapist, licensed dental hygienist, or licensed dental assistant who documents to the satisfaction of the board that the dentist, dental therapist, dental hygienist, or licensed dental assistant has retired from active practice in the state and limits the provision of dental care services to those offered without compensation in a public health, community, or tribal clinic or a nonprofit organization that provides services to ~~the indigent or to recipients of medical assistance or MinnesotaCare programs~~ patients who do not have dental health coverage, either through a state public health care program or private insurance, and whose annual family gross income is equal to or less than 200 percent of the federal poverty guidelines.

(b) The board may require written documentation from the volunteer and retired dentist, dental therapist, dental hygienist, or licensed dental assistant prior to granting this waiver.

(c) The board shall require the volunteer and retired dentist, dental therapist, dental hygienist, or licensed dental assistant to meet the following requirements:

(1) a licensee seeking a waiver under this subdivision must complete and document at least five hours of approved courses in infection control, medical emergencies, and medical management for the continuing education cycle; and

(2) provide documentation of current CPR certification ~~from completion of the American Heart Association healthcare provider course or the American Red Cross professional rescuer course~~.

Sec. 12. Minnesota Statutes 2024, section 150A.06, subdivision 3, is amended to read:

Subd. 3. **Waiver of examination.** (a) All or any part of the examination for dentists, dental therapists, dental hygienists, or dental assistants, except that pertaining to the law of Minnesota relating to dentistry and the rules of the board, may, at the discretion of the board, be waived for an applicant who presents a certificate of having passed all components of the National Board Dental

Examinations or evidence of having maintained an adequate scholastic standing as determined by the board.

(b) The board shall waive the clinical examination required for licensure for any dentist applicant who is a graduate of a dental ~~school~~ education program accredited by the Commission on Dental Accreditation, who has passed all components of the National Board Dental Examinations, and who has satisfactorily completed a postdoctoral general dentistry residency program (GPR) or an advanced education in general dentistry (AEGD) program after January 1, 2004. The postdoctoral program must be accredited by the Commission on Dental Accreditation, be of at least one year's duration, and include an outcome assessment evaluation assessing the resident's competence to practice dentistry. The board may require the applicant to submit any information deemed necessary by the board to determine whether the waiver is applicable.

Sec. 13. Minnesota Statutes 2024, section 150A.06, subdivision 8, is amended to read:

Subd. 8. **Licensure by credentials; dental assistant.** (a) Any dental assistant may, upon application and payment of a fee established by the board, apply for licensure based on an evaluation of the applicant's education, experience, and performance record in lieu of completing a board-approved dental assisting education program for expanded functions as defined in rule, and may be interviewed by the board to determine if the applicant:

(1) has graduated from ~~an accredited~~ a dental assisting education program accredited by the Commission on Dental Accreditation or is currently certified by the Dental Assisting National Board;

(2) is not subject to any pending or final disciplinary action in another state or Canadian province, or if not currently certified or registered, previously had a certification or registration in another state or Canadian province in good standing that was not subject to any final or pending disciplinary action at the time of surrender;

(3) is of good moral character and abides by professional ethical conduct requirements;

(4) at board discretion, has passed a board-approved English proficiency test if English is not the applicant's primary language; and

(5) has met all expanded functions curriculum equivalency requirements of a Minnesota board-approved dental assisting education program.

(b) The board, at its discretion, may waive specific licensure requirements in paragraph (a).

(c) An applicant who fulfills the conditions of this subdivision and demonstrates the minimum knowledge in dental subjects required for licensure under subdivision 2a must be licensed to practice the applicant's profession.

(d) If the applicant does not demonstrate the minimum knowledge in dental subjects required for licensure under subdivision 2a, the application must be denied. If licensure is denied, the board may notify the applicant of any specific remedy that the applicant could take which, when passed, would qualify the applicant for licensure. A denial does not prohibit the applicant from applying for licensure under subdivision 2a.

(e) A candidate whose application has been denied may appeal the decision to the board according to subdivision 4a.

Sec. 14. Minnesota Statutes 2024, section 150A.06, subdivision 9, is amended to read:

Subd. 9. **Graduates of nonaccredited dental education programs.** A graduate of a nonaccredited dental education program who successfully completes the clinical licensure examination, and meets all other applicant requirements of the board shall be licensed to practice dentistry and granted a limited general dentist license by the board. The board shall place limitations on the licensee's authority to practice by requiring the licensee to practice under the general supervision of a Minnesota-licensed dentist approved by the board. A person licensed under this subdivision must practice for three consecutive years in Minnesota pursuant to a written agreement, approved by the board, between the licensee and a Minnesota-licensed dentist who may limit the types of services authorized. At the conclusion of the three-year period, the board shall grant an unlimited license without further restrictions if all supervising dentists who had entered into written agreements with the licensee during any part of the three-year period recommend unlimited licensure, and if no corrective action or disciplinary action has been taken by the board against the licensee.

Sec. 15. Minnesota Statutes 2024, section 150A.06, subdivision 11, is amended to read:

Subd. 11. **Emeritus active licensure.** (a) A person licensed to practice dentistry, dental therapy, dental hygiene, or dental assisting may apply for an emeritus active license if the person is retired from active practice, is in compliance with board requirements, and is not the subject of current disciplinary action resulting in suspension, revocation, disqualification, condition, or restriction of the license to practice dentistry, dental therapy, dental hygiene, or dental assisting.

(b) An emeritus active licensee may engage only in the following types of practice:

(1) pro bono or volunteer dental practice;

(2) paid practice not to exceed 500 hours per calendar year for the exclusive purpose of providing licensing supervision to meet the board's requirements; or

(3) paid consulting services not to exceed 500 hours per calendar year.

(c) An emeritus active licensee shall not hold out as a full licensee and may only hold out as authorized to practice as described in this subdivision. The board may take disciplinary or corrective action against an emeritus active licensee based on violations of applicable law or board requirements.

(d) A person may apply for an emeritus active license by completing an application form specified by the board and must pay the application fee pursuant to section 150A.091, subdivision 20.

(e) If an emeritus active license is not renewed every two years, the license expires 30 days after notification from the board that the licensee failed to timely renew the license. The renewal date is the same as the licensee's renewal date when the licensee was in active practice. In order to renew an emeritus active license, the licensee must:

(1) complete an application form as specified by the board;

(2) pay the required renewal fee pursuant to section 150A.091, subdivision 20; and

~~(3) report at least 25 continuing education hours completed since the last renewal, which must include:~~

~~(i) at least one hour in two different required CORE areas;~~

~~(ii) at least one hour of mandatory infection control;~~

~~(iii) for dentists and dental therapists, at least 15 hours of fundamental credits for dentists and dental therapists, and for dental hygienists and dental assistants, at least seven hours of fundamental credits; and~~

~~(iv) for dentists and dental therapists, no more than ten elective credits, and for dental hygienists and dental assistants, no more than six elective credits.~~

(3) comply with the professional development requirements in Minnesota Rules, part 3100.1350, subpart 4.

Sec. 16. Minnesota Statutes 2025 Supplement, section 150A.06, subdivision 12, is amended to read:

Subd. 12. **Licensure by credentials; dental therapist.** (a) Any dental therapist may, upon application and payment of a fee established by the board, apply for licensure based on an evaluation of the applicant's education, experience, and performance record. The applicant may be interviewed by the board to determine if the applicant:

(1) graduated with a baccalaureate or master's degree from a dental therapy education program accredited by the Commission on Dental Accreditation;

(2) provided evidence of successfully completing the board's jurisprudence examination;

(3) actively practiced at least 2,000 hours within 36 months of the application date or passed a board-approved reentry program within 36 months of the application date;

(4) either:

(i) is currently licensed in another state or Canadian province and not subject to any pending or final disciplinary action; or

(ii) was previously licensed in another state or Canadian province in good standing and not subject to any final or pending disciplinary action at the time of surrender;

(5) passed a board-approved English proficiency test if English is not the applicant's primary language required at the board's discretion; and

(6) met all curriculum equivalency requirements regarding dental therapy scope of practice in Minnesota.

(b) The 2,000 practice hours required by paragraph (a), clause (3), may count toward the 2,000 practice hours required for consideration for advanced dental therapy certification, provided that all other requirements of section 150A.106, subdivision 1, are met.

(c) The board, at its discretion, may waive specific licensure requirements in paragraph (a).

(d) The board must license an applicant who fulfills the conditions of this subdivision and demonstrates the minimum knowledge in dental subjects required for licensure under subdivision 1d to practice the applicant's profession.

(e) The board must deny the application if the applicant does not demonstrate the minimum knowledge in dental subjects required for licensure under subdivision 1d. If licensure is denied, the board may notify the applicant of any specific remedy the applicant could take to qualify for licensure. A denial does not prohibit the applicant from applying for licensure under subdivision 1d.

(f) A candidate may appeal a denied application to the board according to subdivision 4a.

Sec. 17. Minnesota Statutes 2024, section 150A.08, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** The board may refuse or by order suspend or revoke, limit or modify by imposing conditions it deems necessary, the license of a dentist, dental therapist, dental hygienist, or dental assistant upon any of the following grounds:

(1) fraud or deception in connection with the practice of dentistry or the securing of a license certificate;

(2) conviction, including a finding or verdict of guilt, an admission of guilt, or a no contest plea, in any court of a felony-level criminal sexual conduct offense pursuant to sections 609.342 to 609.345 or similar statutes in another jurisdiction, as evidenced by public court records. A license that has been denied or revoked pursuant to this clause is not subject to chapter 364;

~~(2)~~ (3) conviction, including a finding or verdict of guilt, an admission of guilt, or a no contest plea, in any court of a felony or gross misdemeanor reasonably related to the practice of dentistry as evidenced by ~~a certified copy of the conviction~~ public court records;

~~(3)~~ (4) conviction, including a finding or verdict of guilt, an admission of guilt, or a no contest plea, in any court of an offense involving moral turpitude as evidenced by ~~a certified copy of the conviction~~ public court records;

~~(4) habitual overindulgence in the use of intoxicating liquors;~~

(5) improper or unauthorized prescription, dispensing, administering, or personal or other use of any legend drug as defined in chapter 151, of any chemical as defined in chapter 151, or of any controlled substance as defined in chapter 152;

(6) conduct unbecoming a person licensed to practice dentistry, dental therapy, dental hygiene, or dental assisting, or conduct contrary to the best interest of the public, as ~~such conduct is~~ defined ~~by the rules of the board~~ in Minnesota Rules, part 3100.6200;

(7) gross immorality;

(8) any physical, mental, emotional, or other disability which adversely affects a dentist's, dental therapist's, dental hygienist's, or dental assistant's ability to perform the service for which the person is licensed;

(9) revocation or suspension of a license or equivalent authority to practice, or other disciplinary action or denial of a license application taken by a licensing or credentialing authority of another state, territory, or country as evidenced by a certified copy of the licensing authority's order, if the disciplinary action or application denial was based on facts that would provide a basis for disciplinary action under this chapter and if the action was taken only after affording the credentialed person or applicant notice and opportunity to refute the allegations or pursuant to stipulation or other agreement;

(10) failure to maintain adequate safety and sanitary conditions for a dental office in accordance with the standards established by the rules of the board;

(11) employing, assisting, or enabling in any manner an unlicensed person to practice dentistry;

(12) failure or refusal to attend, testify, and produce records as directed by the board under subdivision 7;

(13) violation of, or failure to comply with, any other provisions of sections 150A.01 to 150A.12, the rules of the Board of Dentistry, or any disciplinary order issued by the board, sections 144.291 to 144.298 or 595.02, subdivision 1, paragraph (d), or for any other just cause related to the practice of dentistry. Suspension, revocation, modification or limitation of any license shall not be based upon any judgment as to therapeutic or monetary value of any individual drug prescribed or any individual treatment rendered, but only upon a repeated pattern of conduct;

(14) knowingly providing false or misleading information that is directly related to the care of that patient unless done for an accepted therapeutic purpose such as the administration of a placebo; or

(15) aiding suicide ~~or~~, aiding attempted suicide ~~in violation of~~, being subject to injunctive relief, or being assessed civil damages according to section 609.215 as established by any of the following:

(i) a copy of the record of criminal conviction or plea of guilty for a felony in violation of section 609.215, subdivision 1 or 2;

(ii) a copy of the record of a judgment of contempt of court for violating an injunction issued under section 609.215, subdivision 4;

(iii) a copy of the record of a judgment assessing damages under section 609.215, subdivision 5; or

(iv) a finding by the board that the person violated section 609.215, subdivision 1 or 2. The board shall investigate any complaint of a violation of section 609.215, subdivision 1 or 2.

Sec. 18. Minnesota Statutes 2024, section 150A.081, subdivision 1, is amended to read:

Subdivision 1. **Access to data on licensee.** When the board has probable cause to believe that a licensee's condition meets a ground listed in section 150A.08, subdivision 1, clause ~~(4) or~~ (8), it may, notwithstanding sections 13.384, 144.651, or any other law limiting access to medical data, obtain medical or health records on the licensee without the licensee's consent. The medical data may be requested from a provider, as defined in section 144.291, subdivision 2, paragraph (h), an insurance company, or a government agency. A provider, insurance company, or government agency

shall comply with a written request of the board under this subdivision and is not liable in any action for damages for releasing the data requested by the board if the data are released under the written request, unless the information is false and the entity providing the information knew, or had reason to believe, the information was false.

Sec. 19. Minnesota Statutes 2024, section 150A.091, subdivision 2, is amended to read:

Subd. 2. **Application and initial license or registration fees.** Each applicant shall submit with a license, advanced dental therapist certificate, or ~~permit~~ registration application a nonrefundable fee in the following amounts in order to administratively process an application:

(1) dentist, $308;

(2) full faculty dentist, $308;

(3) limited faculty dentist, $140;

(4) resident dentist or dental provider, $55;

(5) advanced dental therapist, $100;

(6) dental therapist, $220;

(7) dental hygienist, $115;

(8) licensed dental assistant, $115;

(9) dental assistant with limited radiology registration as described in Minnesota Rules, part 3100.1320, $27; and

(10) guest license, $50.

Sec. 20. Minnesota Statutes 2024, section 150A.091, subdivision 4, is amended to read:

Subd. 4. **Annual license renewal fees.** Each ~~limited faculty or resident dentist~~ applicant shall submit with an annual license renewal application a fee established by the board not to exceed the following amounts:

(1) limited faculty dentist, $168; ~~and~~

(2) resident dentist or dental provider, $85~~.~~; and

(3) guest license, $50.

Sec. 21. Minnesota Statutes 2024, section 150A.091, subdivision 5, is amended to read:

Subd. 5. **Biennial license or registration renewal fees.** Each of the following applicants shall submit with a biennial license or ~~permit~~ registration renewal application a fee as established by the board, not to exceed the following amounts:

(1) dentist or full faculty dentist, $475;

(2) dental therapist, $300;

(3) dental hygienist, $200;

(4) licensed dental assistant, $150; and

(5) dental assistant with a limited radiology registration as described in Minnesota Rules, part 3100.1320, $24.

Sec. 22. Minnesota Statutes 2024, section 150A.091, subdivision 7, is amended to read:

Subd. 7. **Biennial license or ~~permit~~ registration late fee.** Applications for renewal of any license or ~~permit~~ registration received after the time specified in Minnesota Rules, part 3100.1700, must be assessed a late fee equal to 25 percent of the biennial renewal fee.

Sec. 23. Minnesota Statutes 2024, section 150A.091, subdivision 8, is amended to read:

Subd. 8. **Duplicate ~~license or~~ renewal certificate or registration fee.** Each applicant shall submit, with a request for issuance of a duplicate ~~of the original license, or of an~~ annual or biennial renewal certificate for a license or ~~permit~~ registration, a fee in the following amounts:

~~(1) original dentist, full faculty dentist, dental therapist, dental hygiene, or dental assistant license, $35; and~~

~~(2)~~ (1) annual or biennial renewal certificates, $10~~.~~; and

(2) biennial renewal registration, $10.

Sec. 24. Minnesota Statutes 2024, section 150A.091, subdivision 9a, is amended to read:

Subd. 9a. **Credential review; nonaccredited dental ~~institution~~ education program.** Applicants who have graduated from a nonaccredited dental ~~college~~ education program desiring licensure as a dentist pursuant to section 150A.06, subdivision 1, shall submit an application for credential review and an application fee not to exceed the amount of $200.

Sec. 25. Minnesota Statutes 2024, section 150A.091, subdivision 10, is amended to read:

Subd. 10. **Reinstatement fee.** No dentist, dental therapist, dental hygienist, or dental assistant whose license has been suspended or revoked may have the license reinstated or a new license issued until a fee has been submitted to the board in the following amounts:

(1) dentist, $140;

(2) dental therapist, $85;

(3) dental hygienist, $55; ~~and~~

(4) dental assistant, $35~~.~~; and

(5) dental assistant with a limited radiology registration, $24.

Sec. 26. Minnesota Statutes 2024, section 150A.091, subdivision 20, is amended to read:

Subd. 20. **Emeritus active license.** An individual applying for emeritus active licensure under section 150A.06, subdivision 11, must pay a fee upon application and upon renewal every two years. The fees for emeritus active license application and biennial renewal are as follows: dentist, $212; dental therapist, $100; dental hygienist, $75; and dental assistant, $55.

Sec. 27. Minnesota Statutes 2024, section 150A.091, is amended by adding a subdivision to read:

Subd. 20a. **Emeritus active license late fee.** The board must assess a late fee equal to 25 percent of the biennial renewal fee on applications for renewal of an emeritus active license received after the time specified in Minnesota Rules, part 3100.1350, subpart 3.

Sec. 28. Minnesota Statutes 2024, section 150A.10, subdivision 1, is amended to read:

Subdivision 1. **Dental hygienists.** Any licensed dentist, licensed dental therapist, public institution, or ~~school~~ education program authority may obtain services from a licensed dental hygienist. The licensed dental hygienist may provide those services defined in section 150A.05, subdivision 1a. The services provided shall not include the establishment of a final diagnosis or treatment plan for a dental patient. All services shall be provided under supervision of a licensed dentist. Any licensed dentist who shall permit any dental service by a dental hygienist other than those authorized by the Board of Dentistry, shall be deemed to be violating the provisions of sections 150A.01 to 150A.12, and any unauthorized dental service by a dental hygienist shall constitute a violation of sections 150A.01 to 150A.12.

Sec. 29. Minnesota Statutes 2024, section 150A.10, subdivision 1a, is amended to read:

Subd. 1a. **Collaborative practice authorization for dental hygienists in community settings.** (a) Notwithstanding subdivision 1, a dental hygienist licensed under this chapter may be employed or retained by a health care facility, program, nonprofit organization, or licensed dentist to perform the dental hygiene services listed in Minnesota Rules, part 3100.8700, subpart 1, without the patient first being examined by a licensed dentist if the dental hygienist:

(1) has entered into a collaborative agreement with a licensed dentist that designates authorization for the services provided by the dental hygienist; and

(2) has documented completion of a course on medical emergencies within each continuing education cycle.

(b) A collaborating dentist must be licensed under this chapter and may enter into a collaborative agreement with no more than ~~four~~ eight dental hygienists unless otherwise authorized by the board. The board shall develop parameters and a process for obtaining authorization to collaborate with more than ~~four~~ eight dental hygienists. The collaborative agreement must include:

(1) consideration for medically compromised patients and medical conditions for which a dental evaluation and treatment plan must occur prior to the provision of dental hygiene services;

(2) age- and procedure-specific standard collaborative practice protocols, including recommended intervals for the performance of dental hygiene services and a period of time in which an examination by a dentist should occur;

(3) copies of consent to treatment form provided to the patient by the dental hygienist;

(4) specific protocols for the placement of pit and fissure sealants and requirements for follow-up care to ensure efficacy; and

(5) the procedure for creating and maintaining dental records for patients who are treated by the dental hygienist under Minnesota Rules, part 3100.9600, including specifying where records will be located.

(c) The collaborative agreement must be:

(1) signed and maintained by the dentist; the dental hygienist; and the facility, program, or organization;

(2) reviewed annually by the collaborating dentist and the dental hygienist; and

(3) made available to the board upon request.

(d) Before performing any services authorized under this subdivision, a dental hygienist must provide the patient with a consent to treatment form which must include a statement advising the patient that the dental hygiene services provided are not a substitute for a dental examination by a licensed dentist. When the patient requires a referral for additional dental services, the dental hygienist shall complete a referral form and provide a copy to the patient, the facility, if applicable, the dentist to whom the patient is being referred, and the collaborating dentist, if specified in the collaborative agreement. A copy of the referral form shall be maintained in the patient's health care record. The patient does not become a new patient of record of the dentist to whom the patient was referred until the dentist accepts the patient for follow-up services after referral from the dental hygienist.

(e) For the purposes of this subdivision, a "health care facility, program, or nonprofit organization" includes a hospital; nursing home; home health agency; group home serving the elderly, disabled, or juveniles; state-operated facility licensed by the commissioner of human services or the commissioner of corrections; a state-agency-administered public health program or event; and federal, state, or local public health facility, community clinic, tribal clinic, ~~school~~ education program authority, Head Start program, or nonprofit organization that serves individuals who are uninsured or who are Minnesota health care public program recipients.

(f) For purposes of this subdivision, a "collaborative agreement" means a written agreement with a licensed dentist who authorizes and accepts responsibility for the services performed by the dental hygienist.

(g) A collaborative practice dental hygienist must be reimbursed for all services performed through a health care facility, program, nonprofit organization, or licensed dentist.

Sec. 30. Minnesota Statutes 2024, section 150A.10, subdivision 4, is amended to read:

Subd. 4. **Restorative procedures.** (a) Notwithstanding subdivisions 1, 1a, and 2, a licensed dental hygienist or licensed dental assistant may perform the following restorative procedures:

(1) place, contour, and adjust amalgam restorations;

(2) place, contour, and adjust glass ionomer;

(3) adapt and cement stainless steel crowns; and

(4) place, contour, and adjust ~~class I, II, and V supragingival~~ composite restorations ~~on primary and permanent dentition~~.

(b) The restorative procedures described in paragraph (a) may be performed only if:

(1) the licensed dental hygienist or licensed dental assistant has completed a board-approved course on the specific procedures;

(2) the board-approved course includes a component that sufficiently prepares the licensed dental hygienist or licensed dental assistant to adjust the occlusion on the newly placed restoration;

(3) a licensed dentist or licensed advanced dental therapist has authorized the procedure to be performed; and

(4) a licensed dentist or licensed advanced dental therapist is available in the clinic while the procedure is being performed.

(c) The dental faculty who teaches the educators of the board-approved courses specified in paragraph (b) must have prior experience teaching these procedures in an accredited dental education program.

Sec. 31. Minnesota Statutes 2024, section 150A.105, subdivision 8, is amended to read:

Subd. 8. **Definitions.** (a) For the purposes of this section, the following definitions apply.

(b) "Practice settings that serve the low-income and underserved" mean:

(1) critical access dental provider settings as designated by the commissioner of human services under section 256B.76, subdivision 4;

(2) dental hygiene collaborative practice settings identified in section 150A.10, subdivision 1a, paragraph (e), and including medical facilities, assisted living facilities, federally qualified health centers, and organizations eligible to receive a community clinic grant under section 145.9268, subdivision 1;

(3) military and veterans administration hospitals, clinics, and care settings;

(4) a patient's residence or home when the patient is home-bound or receiving or eligible to receive home care services or home and community-based waivered services, regardless of the patient's income;

(5) oral health educational institutions; or

(6) any other clinic or practice setting, including mobile dental units, in which at least 50 percent of the total patient base of the dental therapist or advanced dental therapist consists of patients who:

(i) are enrolled in a Minnesota health care program;

(ii) have a medical disability or chronic condition that creates a significant barrier to receiving dental care; or

~~(iii) do not have dental health coverage, either through a public health care program or private insurance, and have an annual gross family income equal to or less than 200 percent of the federal poverty guidelines; or~~

~~(iv)~~ (iii) do not have dental health coverage, either through a state public health care program or private insurance, and whose family annual gross income is equal to or less than 200 percent of the federal poverty guidelines.

(c) "Dental health professional shortage area" means an area that meets the criteria established by the secretary of the United States Department of Health and Human Services and is designated as such under United States Code, title 42, section 254e.

Sec. 32. Minnesota Statutes 2024, section 150A.106, subdivision 3, is amended to read:

Subd. 3. **Practice limitation.** (a) An advanced practice dental therapist shall not perform any service or procedure described in subdivision 2 except as authorized by the collaborating dentist.

(b) An advanced dental therapist may perform nonsurgical extractions of periodontally diseased permanent teeth with tooth mobility of +3 to +4 under general supervision if authorized in advance by the collaborating dentist. The advanced dental therapist shall not extract a tooth for any patient if the tooth is unerupted, impacted, fractured, or needs to be sectioned for removal.

~~(c) The collaborating dentist is responsible for directly providing or arranging for another dentist or specialist to provide any necessary advanced services needed by the patient.~~

~~(d)~~ (c) An advanced dental therapist in accordance with the collaborative management agreement must refer patients to another qualified dental or health care professional to receive any needed services that exceed the scope of practice of the advanced dental therapist.

~~(e)~~ (d) In addition to the collaborative management agreement requirements described in section 150A.105, a collaborative management agreement entered into with an advanced dental therapist must include specific written protocols to govern situations in which the advanced dental therapist encounters a patient who requires treatment that exceeds the authorized scope of practice of the advanced dental therapist. The collaborating dentist must ensure that a dentist is available to the advanced dental therapist for timely consultation during treatment if needed and must either provide or arrange with another dentist or specialist to provide the necessary treatment to any patient who requires more treatment than the advanced dental therapist is authorized to provide.

Sec. 33. Minnesota Statutes 2024, section 150A.11, subdivision 1, is amended to read:

Subdivision 1. **Unlawful practice.** It is unlawful for any person to: enable an unlicensed person to practice dentistry; to practice or attempt to practice dentistry without a license; to practice dentistry

under the name of a corporation or company; or to practice under any name that may tend to deceive the public or imply professional superiority to or greater skill than that possessed by another dentist. If a dentist practices under the dentist's own name, any public display or cards shall include the initials of the dentist's dental degree, such as D.D.S. or D.M.D., following the name. If a dentist practices under another name, the name shall include some designation which makes clear that the person is practicing dentistry or a specialty of dentistry; and that the names of all of the participating dentists practicing under the name be clearly identified on letterheads and building or office signs that display a name other than the dentist's own name. Any communication between dentist and patient shall clearly indicate the name of the dentist treating the patient. The board may promulgate rules regarding the name under which a dentist may practice. No corporation shall practice dentistry or engage in it, or hold itself out as being entitled to practice dentistry, or furnish dental services or dentists, or advertise under or assume the title of dentists or dental surgeons or equivalent title. No corporation shall furnish dental advice, or advertise or hold itself out with any other person or alone, that it has or owns a dental office or can furnish dental service, dentists, or dental surgeons, or solicit, through itself, or its agents, officers, employees, directors or trustees, dental patronage for any dentist or dental surgeon. This section:

(1) Does not apply to any licensee while acting as an instructor in or under the University of Minnesota, the Mayo Foundation, or any other ~~school~~ education program in the state recognized by the state Board of Dentistry;

(2) Does not prohibit dentists from incorporating their practice of dentistry for business purposes under the special provisions of a corporate practice act for dentistry;

(3) Shall not be construed to change or amend the right of licensed dentists to provide dental care under any form of organization that is lawful under the laws of this state, or to contract to sell their services in any manner that is lawful under the laws of this state.

Sec. 34. **REPEALER.**

Minnesota Statutes 2024, section 150A.06, subdivision 6, is repealed.

ARTICLE 8

MARRIAGE AND FAMILY THERAPY PRACTICE

Section 1. Minnesota Statutes 2024, section 148B.35, is amended to read:

148B.35 RECIPROCITY WITH OTHER STATES.

The board shall issue a marriage and family therapist's license to an individual who holds a current license as a marriage and family therapist from another jurisdiction if the ~~board determines that the standards for licensure in the other jurisdiction are at least equivalent to or exceed the requirements of sections 148B.29 to 148B.392 and the rules of the board.~~ individual:

(1) completes an application for licensure by reciprocity on a form provided by the board and submits the applicable fees under section 148B.392;

(2) holds a current, valid, and unrestricted license from another jurisdiction to practice as a marriage and family therapist;

(3) is licensed in good standing in each jurisdiction in which the individual currently holds a license to practice as a marriage and family therapist and is not the subject of disciplinary action or a pending investigation by any jurisdiction's licensing authority for marriage and family therapists;

(4) has not been convicted of a crime that would disqualify the individual from licensure, as determined by the board; and

(5) has passed a Minnesota jurisprudence examination approved by the board.

ARTICLE 9

PHARMACY PRACTICE

Section 1. Minnesota Statutes 2025 Supplement, section 151.01, subdivision 23, is amended to read:

Subd. 23. **Practitioner.** "Practitioner" means a licensed doctor of medicine, licensed doctor of osteopathic medicine duly licensed to practice medicine, licensed doctor of dentistry, licensed doctor of optometry, licensed podiatrist, licensed veterinarian, licensed advanced practice registered nurse, licensed certified midwife, or licensed physician assistant. For purposes of sections 151.15, subdivision 4; 151.211, subdivision 3; 151.252, subdivision 3; 151.37, subdivision 2, paragraph (b); and 151.461, "practitioner" also means a dental therapist authorized to dispense and administer under chapter 150A. For purposes of sections 151.252, subdivision 3, and 151.461, "practitioner" also means a pharmacist authorized to prescribe ~~self-administered hormonal contraceptives, nicotine replacement medications, or opiate antagonists under section 151.37, subdivision 14, 15, or 16, or authorized to prescribe drugs to prevent the acquisition of human immunodeficiency virus (HIV) under~~ drug therapy according to subdivision 27 or section 151.37~~, subdivision 17~~.

Sec. 2. Minnesota Statutes 2024, section 151.01, subdivision 27, is amended to read:

Subd. 27. **Practice of pharmacy.** "Practice of pharmacy" means:

(1) interpretation and evaluation of prescription drug orders;

(2) compounding, labeling, and dispensing drugs and devices (except labeling by a manufacturer or packager of nonprescription drugs or commercially packaged legend drugs and devices);

(3) participation in clinical interpretations and monitoring of drug therapy for assurance of safe and effective use of drugs, including ordering and performing laboratory tests that are waived under the federal Clinical Laboratory Improvement Act of 1988, United States Code, title 42, section 263a et seq. A pharmacist may collect specimens, interpret results, notify the patient of results, and refer the patient to other health care providers for follow-up care and may initiate, modify, or discontinue drug therapy only pursuant to a protocol or collaborative practice agreement. A pharmacist may delegate the authority to administer tests under this clause to a pharmacy technician or pharmacy intern. A pharmacy technician or pharmacy intern may perform tests authorized under this clause if the technician or intern is working under the direct supervision of a pharmacist;

(4) participation in drug and therapeutic device selection; drug administration for first dosage and medical emergencies; intramuscular and subcutaneous drug administration under a prescription drug order; drug regimen reviews; and drug or drug-related research;

(5) drug administration, through intramuscular and subcutaneous administration used to treat mental illnesses as permitted under the following conditions:

(i) upon the order of a ~~prescriber~~ practitioner and the ~~prescriber~~ practitioner is notified after administration is complete; or

(ii) pursuant to a protocol or collaborative practice agreement as defined by section 151.01, subdivisions 27b and 27c, and participation in the initiation, management, modification, administration, and discontinuation of drug therapy is according to the protocol or collaborative practice agreement between the pharmacist and a dentist, optometrist, physician, physician assistant, podiatrist, or veterinarian, or an advanced practice registered nurse authorized to prescribe, dispense, and administer under section 148.235. Any changes in drug therapy or medication administration made pursuant to a protocol or collaborative practice agreement must be documented by the pharmacist in the patient's medical record or reported by the pharmacist to a practitioner responsible for the patient's care;

(6) initiating, ordering, and administering influenza and COVID-19 or SARS-CoV-2 vaccines authorized or approved by the United States Food and Drug Administration to all eligible individuals three years of age and older and all other United States Food and Drug Administration-approved vaccines to patients six years of age and older according to the federal Advisory Committee on Immunization Practices recommendations. A pharmacist may delegate the authority to administer vaccines under this clause to a pharmacy technician or pharmacy intern who has completed training in vaccine administration if:

(i) the pharmacist and the pharmacy technician or pharmacy intern have successfully completed a program approved by the Accreditation Council for Pharmacy Education (ACPE) specifically for the administration of immunizations or a program approved by the board;

(ii) the pharmacist utilizes the Minnesota Immunization Information Connection to assess the immunization status of individuals prior to the administration of vaccines, except when administering influenza vaccines to individuals age nine and older;

(iii) the pharmacist reports the administration of the immunization to the Minnesota Immunization Information Connection;

(iv) if the patient is 18 years of age or younger, the pharmacist, pharmacy technician, or pharmacy intern informs the patient and any adult caregiver accompanying the patient of the importance of a well-child visit with a pediatrician or other licensed primary care provider; and

(v) in the case of a pharmacy technician administering vaccinations while being supervised by a licensed pharmacist:

(A) the supervision is in-person and must not be done through telehealth as defined under section 62A.673, subdivision 2;

(B) the pharmacist is readily and immediately available to the immunizing pharmacy technician;

(C) the pharmacy technician has a current certificate in basic cardiopulmonary resuscitation;

(D) the pharmacy technician has completed a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education as part of the pharmacy technician's two-year continuing education schedule; and

(E) the pharmacy technician has completed one of two training programs listed under Minnesota Rules, part 6800.3850, subpart 1h, item B;

(7) participation in the initiation, management, modification, and discontinuation of drug therapy according to a written protocol or collaborative practice agreement between: (i) one or more pharmacists and one or more dentists, optometrists, physicians, physician assistants, podiatrists, or veterinarians; or (ii) one or more pharmacists and one or more physician assistants authorized to prescribe, dispense, and administer under chapter 147A, or advanced practice registered nurses authorized to prescribe, dispense, and administer under section 148.235. Any changes in drug therapy made pursuant to a protocol or collaborative practice agreement must be documented by the pharmacist in the patient's medical record or reported by the pharmacist to a practitioner responsible for the patient's care;

(8) participation in the storage of drugs and the maintenance of records;

(9) patient counseling on therapeutic values, content, hazards, and uses of drugs and devices;

(10) offering or performing those acts, services, operations, or transactions necessary in the conduct, operation, management, and control of a pharmacy;

(11) participation in the initiation, management, modification, and discontinuation of therapy with opiate antagonists, as defined in section 604A.04, subdivision 1, pursuant to:

(i) a written protocol as allowed under clause (7); or

(ii) a written protocol with a community health board medical consultant or a practitioner designated by the commissioner of health, as allowed under section 151.37, subdivision 13;

(12) prescribing self-administered hormonal contraceptives; nicotine replacement medications; and opiate antagonists for the treatment of an acute opiate overdose pursuant to section 151.37, subdivision 14, 15, or 16;

(13) participation in the placement of drug monitoring devices according to a prescription, protocol, or collaborative practice agreement;

(14) prescribing, dispensing, and administering drugs for preventing the acquisition of human immunodeficiency virus (HIV) if the pharmacist meets the requirements in section 151.37, subdivision 17; ~~and~~

(15) ordering, conducting, and interpreting laboratory tests necessary for therapies that use drugs for preventing the acquisition of HIV, if the pharmacist meets the requirements in section 151.37, subdivision 17~~.~~; and

(16) initiating, prescribing, dispensing, and administering drugs for the treatment of opioid use disorder pursuant to section 151.37, subdivision 18.

Sec. 3. Minnesota Statutes 2024, section 151.071, subdivision 2, is amended to read:

Subd. 2. **Grounds for disciplinary action.** The following conduct is prohibited and is grounds for disciplinary action:

(1) failure to demonstrate the qualifications or satisfy the requirements for a license or registration contained in this chapter or the rules of the board. The burden of proof is on the applicant to demonstrate such qualifications or satisfaction of such requirements;

(2) obtaining a license by fraud or by misleading the board in any way during the application process or obtaining a license by cheating, or attempting to subvert the licensing examination process. Conduct that subverts or attempts to subvert the licensing examination process includes, but is not limited to: (i) conduct that violates the security of the examination materials, such as removing examination materials from the examination room or having unauthorized possession of any portion of a future, current, or previously administered licensing examination; (ii) conduct that violates the standard of test administration, such as communicating with another examinee during administration of the examination, copying another examinee's answers, permitting another examinee to copy one's answers, or possessing unauthorized materials; or (iii) impersonating an examinee or permitting an impersonator to take the examination on one's own behalf;

(3) for a pharmacist, pharmacy technician, pharmacist intern, applicant for a pharmacist or pharmacy license, or applicant for a pharmacy technician or pharmacist intern registration, conviction of a felony reasonably related to the practice of pharmacy. Conviction as used in this subdivision includes a conviction of an offense that if committed in this state would be deemed a felony without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered thereon. The board may delay the issuance of a new license or registration if the applicant has been charged with a felony until the matter has been adjudicated;

(4) for a facility, other than a pharmacy, licensed or registered by the board, if an owner or applicant is convicted of a felony reasonably related to the operation of the facility. The board may delay the issuance of a new license or registration if the owner or applicant has been charged with a felony until the matter has been adjudicated;

(5) for a controlled substance researcher, conviction of a felony reasonably related to controlled substances or to the practice of the researcher's profession. The board may delay the issuance of a registration if the applicant has been charged with a felony until the matter has been adjudicated;

(6) disciplinary action taken by another state or by one of this state's health licensing agencies:

(i) revocation, suspension, restriction, limitation, or other disciplinary action against a license or registration in another state or jurisdiction, failure to report to the board that charges or allegations regarding the person's license or registration have been brought in another state or jurisdiction, or having been refused a license or registration by any other state or jurisdiction. The board may delay the issuance of a new license or registration if an investigation or disciplinary action is pending in

another state or jurisdiction until the investigation or action has been dismissed or otherwise resolved; and

(ii) revocation, suspension, restriction, limitation, or other disciplinary action against a license or registration issued by another of this state's health licensing agencies, failure to report to the board that charges regarding the person's license or registration have been brought by another of this state's health licensing agencies, or having been refused a license or registration by another of this state's health licensing agencies. The board may delay the issuance of a new license or registration if a disciplinary action is pending before another of this state's health licensing agencies until the action has been dismissed or otherwise resolved;

(7) for a pharmacist, pharmacy, pharmacy technician, or pharmacist intern, violation of any order of the board, of any of the provisions of this chapter or any rules of the board or violation of any federal, state, or local law or rule reasonably pertaining to the practice of pharmacy;

(8) for a facility, other than a pharmacy, licensed by the board, violations of any order of the board, of any of the provisions of this chapter or the rules of the board or violation of any federal, state, or local law relating to the operation of the facility;

(9) engaging in any unethical conduct; conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient; or pharmacy practice that is professionally incompetent, in that it may create unnecessary danger to any patient's life, health, or safety, in any of which cases, proof of actual injury need not be established;

(10) aiding or abetting an unlicensed person in the practice of pharmacy, except that it is not a violation of this clause for a pharmacist to supervise a properly registered pharmacy technician or pharmacist intern if that person is performing duties allowed by this chapter or the rules of the board;

(11) for an individual licensed or registered by the board, adjudication as mentally ill or developmentally disabled, or as a chemically dependent person, a person dangerous to the public, a sexually dangerous person, or a person who has a sexual psychopathic personality, by a court of competent jurisdiction, within or without this state. Such adjudication shall automatically suspend a license for the duration thereof unless the board orders otherwise;

(12) for a pharmacist or pharmacy intern, engaging in unprofessional conduct as specified in the board's rules. In the case of a pharmacy technician, engaging in conduct specified in board rules that would be unprofessional if it were engaged in by a pharmacist or pharmacist intern or performing duties specifically reserved for pharmacists under this chapter or the rules of the board;

(13) for a pharmacy, operation of the pharmacy without a pharmacist present and on duty except as allowed by a variance approved by the board;

(14) for a pharmacist, the inability to practice pharmacy with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition, including deterioration through the aging process or loss of motor skills. In the case of registered pharmacy technicians, pharmacist interns, or controlled substance researchers, the inability to carry out duties allowed under this chapter or the rules of the board with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics,

chemicals, or any other type of material or as a result of any mental or physical condition, including deterioration through the aging process or loss of motor skills;

(15) for a pharmacist, pharmacy, pharmacist intern, pharmacy technician, medical gas dispenser, or controlled substance researcher, revealing a privileged communication from or relating to a patient except when otherwise required or permitted by law;

(16) for a pharmacist or pharmacy, improper management of patient records, including failure to maintain adequate patient records, to comply with a patient's request made pursuant to sections 144.291 to 144.298, or to furnish a patient record or report required by law;

(17) fee splitting, including without limitation:

(i) paying, offering to pay, receiving, or agreeing to receive, a commission, rebate, kickback, or other form of remuneration, directly or indirectly, for the referral of patients;

(ii) referring a patient to any health care provider as defined in sections 144.291 to 144.298 in which the licensee or registrant has a financial or economic interest as defined in section 144.6521, subdivision 3, unless the licensee or registrant has disclosed the licensee's or registrant's financial or economic interest in accordance with section 144.6521; and

(iii) any arrangement through which a pharmacy, in which the prescribing practitioner does not have a significant ownership interest, fills a prescription drug order and the prescribing practitioner is involved in any manner, directly or indirectly, in setting the price for the filled prescription that is charged to the patient, the patient's insurer or pharmacy benefit manager, or other person paying for the prescription or, in the case of veterinary patients, the price for the filled prescription that is charged to the client or other person paying for the prescription, except that a veterinarian and a pharmacy may enter into such an arrangement provided that the client or other person paying for the prescription is notified, in writing and with each prescription dispensed, about the arrangement, unless such arrangement involves pharmacy services provided for livestock, poultry, and agricultural production systems, in which case client notification would not be required;

(18) engaging in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws or rules;

(19) engaging in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient;

(20) failure to make reports as required by section 151.072 or to cooperate with an investigation of the board as required by section 151.074;

(21) knowingly providing false or misleading information that is directly related to the care of a patient unless done for an accepted therapeutic purpose such as the dispensing and administration of a placebo;

(22) aiding suicide or aiding attempted suicide in violation of section 609.215 as established by any of the following:

(i) a copy of the record of criminal conviction or plea of guilty for a felony in violation of section 609.215, subdivision 1 or 2;

(ii) a copy of the record of a judgment of contempt of court for violating an injunction issued under section 609.215, subdivision 4;

(iii) a copy of the record of a judgment assessing damages under section 609.215, subdivision 5; or

(iv) a finding by the board that the person violated section 609.215, subdivision 1 or 2. The board must investigate any complaint of a violation of section 609.215, subdivision 1 or 2;

(23) for a pharmacist, practice of pharmacy under a lapsed or nonrenewed license. For a pharmacist intern, pharmacy technician, or controlled substance researcher, performing duties permitted to such individuals by this chapter or the rules of the board under a lapsed or nonrenewed registration. For a facility required to be licensed under this chapter, operation of the facility under a lapsed or nonrenewed license or registration;

(24) for a pharmacist, pharmacist intern, or pharmacy technician, termination or discharge from the health professionals services program for reasons other than the satisfactory completion of the program; ~~and~~

(25) for a manufacturer, a violation of section 62J.842 or 62J.845~~.~~; and

(26) for a pharmacist or pharmacist intern, engaging in conduct that departs from or fails to conform with accepted standards for health care that would be provided in a similar setting by a reasonable and prudent pharmacist or pharmacist intern.

Sec. 4. Minnesota Statutes 2024, section 151.37, is amended by adding a subdivision to read:

Subd. 18. **Treatment of opioid use disorder.** (a) A pharmacist is authorized to prescribe, administer, and dispense legend drugs and controlled substances in Schedules III through V of section 152.02 to treat opioid use disorder if:

(1) the pharmacist has determined, based on medically acceptable standards, that treatment is indicated and necessary; and

(2) the pharmacist documents in the patient's health record the assessment, treatment, response, and monitoring activities performed according to an individual treatment plan.

(b) In order to prescribe a drug described in paragraph (a), the pharmacist must first:

(1) successfully complete a training program specifically developed for practitioners for the treatment of substance use disorders, in accordance with United States Code, title 21, section 823(m); and

(2) obtain the appropriate federal Drug Enforcement Administration registration number required for the schedule in which that drug is included, if the drug to be prescribed is a controlled substance.

(c) Before dispensing a drug described in paragraph (a) that is prescribed by the pharmacist, the pharmacist must provide counseling to the patient on the proper use of the drug, the need for follow-up, and any additional information listed in Minnesota Rules, part 6800.0910, subpart 2, that must be provided during patient counseling.

(d) A pharmacist is prohibited from delegating the prescribing authority under this subdivision to any other person. A pharmacist intern registered under section 151.101 may prepare the prescription, but before the prescription is processed or dispensed, a pharmacist authorized to prescribe under this subdivision must review, approve, and sign the prescription.

(e) Nothing in this subdivision prohibits a pharmacist from participating in the initiation, management, modification, and discontinuation of drug therapy according to a protocol for opioid use disorder as authorized in this section and section 151.01, subdivision 27.

(f) Nothing in this subdivision prohibits a pharmacist from dispensing or administering drugs for the treatment of opioid use disorder in accordance with a valid prescription issued by another practitioner.

(g) Nothing in this subdivision prohibits a pharmacist from charging for a service authorized under this subdivision.

Sec. 5. Minnesota Statutes 2024, section 152.11, subdivision 2, is amended to read:

Subd. 2. **Prescription requirements for Schedule III or IV controlled substances.** (a) Except as provided in paragraph (b), no person may dispense a controlled substance included in Schedule III or IV of section 152.02 without a prescription issued, as permitted under subdivision 1, by a doctor of medicine, a doctor of osteopathic medicine licensed to practice medicine, a doctor of dental surgery, a doctor of dental medicine, a doctor of podiatry, a doctor of optometry limited to Schedule IV, a pharmacist limited to Schedule III or IV and in accordance with section 151.37, or a doctor of veterinary medicine, lawfully licensed to prescribe in this state or from a practitioner licensed to prescribe controlled substances by the state in which the prescription is issued, and having a current federal drug enforcement administration registration number. Such prescription may not be dispensed or refilled except with the documented consent of the prescriber, and in no event more than six months after the date on which such prescription was issued and no such prescription may be refilled more than five times.

(b) This subdivision does not apply to cannabis plants, cannabis flower, cannabis products, or hemp-derived consumer products sold or transferred in compliance with chapter 342.

Sec. 6. Minnesota Statutes 2024, section 152.12, is amended by adding a subdivision to read:

Subd. 2a. **Pharmacist.** A licensed pharmacist, in good faith and in the course of professional practice only, may prescribe, administer, and dispense a controlled substance that is included in Schedules III through V of section 152.02 and that the pharmacist is authorized to prescribe, administer, and dispense under section 151.37, subdivision 18, and may cause the same to be administered by a pharmacist intern under the direction and supervision of the pharmacist.

ARTICLE 10

PHYSICAL THERAPY PRACTICE

Section 1. Minnesota Statutes 2024, section 148.65, subdivision 5, is amended to read:

Subd. 5. **Student physical therapist.** "Student physical therapist" means a person in a professional educational program, approved by the board under section 148.705, who is satisfying supervised clinical education requirements by performing physical therapy under the ~~on-site~~ direct supervision of a licensed physical therapist. ~~"On-site supervision" means the physical therapist is easily available for instruction to the student physical therapist. The physical therapist shall have direct contact with the patient during at least every second treatment session by the student physical therapist.~~ "Direct supervision" means that the physical therapist is physically present and immediately available for supervision. Telecommunications~~, except within the facility,~~ does not meet the requirement of ~~on-site~~ direct supervision.

Sec. 2. Minnesota Statutes 2024, section 148.65, subdivision 6, is amended to read:

Subd. 6. **Student physical therapist assistant.** "Student physical therapist assistant" means a person in a physical therapist assistant educational program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) or a recognized comparable national accrediting agency approved by the board. The student physical therapist assistant, under the direct supervision of the physical therapist, or the direct supervision of the physical therapist and physical therapist assistant team, performs physical therapy interventions and assists with coordination, communication, documentation, and patient-client-related instruction. "Direct supervision" means the physical therapist or physical therapist assistant when supervising a student physical therapist assistant as part of a physical therapist and physical therapist assistant team is physically present and immediately available to provide instruction to the student physical therapist assistant. Telecommunications does not meet the requirement of direct supervision.

Sec. 3. Minnesota Statutes 2024, section 148.706, subdivision 1, is amended to read:

Subdivision 1. **Supervision.** (a) Every physical therapist who uses the services of a physical therapist assistant or physical therapy aide for the purpose of assisting in the practice of physical therapy is responsible for functions performed by the assistant or aide while engaged in such assistance. The physical therapist shall ~~delegate~~ direct duties to the physical therapist assistant and assign tasks to the physical therapy aide in accordance with subdivision 2. ~~Physical therapists who instruct student physical therapists and student physical therapist assistants are responsible for the functions performed by the students and shall supervise the students as provided under section 148.65, subdivisions 5 and 6. A licensed physical therapist may supervise no more than two physical therapist assistants at any time.~~

(b) A licensed physical therapist may supervise no more than two physical therapist assistants at any time. A physical therapist supervising physical therapist assistants is not required to be on site, but must be easily available by telecommunications.

(c) Physical therapists who instruct student physical therapists and student physical therapist assistants are responsible for the functions performed by the students and shall supervise the students as provided under section 148.65, subdivisions 5 and 6. A physical therapist supervising a student

physical therapist must have direct contact with the patient during at least every second treatment session by the student physical therapist. A physical therapist or physical therapist assistant as part of a physical therapist and physical therapist assistant team who is supervising a student physical therapist assistant must have direct contact with the patient during at least every second treatment session by the student physical therapist assistant.

Sec. 4. Minnesota Statutes 2024, section 148.706, subdivision 2, is amended to read:

Subd. 2. ~~**Delegation**~~ **Direction of duties.** The physical therapist ~~may delegate~~ is authorized to direct patient treatment procedures only to a physical therapist assistant who has sufficient didactic and clinical preparation. The physical therapist may not ~~delegate~~ direct the following activities to ~~the~~ a physical therapist assistant or to other supportive personnel: initial patient examination and evaluation, ~~treatment planning, initial treatment, change of treatment,~~ development and modification of the plan of care, and initial or final documentation.

Sec. 5. Minnesota Statutes 2024, section 148.706, subdivision 3, is amended to read:

Subd. 3. **Observation of and collaboration with physical therapist assistants.** When a physical therapist directs components of a patient's treatment ~~are delegated~~ to a physical therapist assistant, a physical therapist must ~~provide on-site observation of the treatment and documentation of its appropriateness at least every six treatment sessions. The physical therapist is not required to be on site, but must be easily available by telecommunications.~~ do the following at least every six treatment sessions that the physical therapist assistant provides services:

(1) observe a portion of the patient treatment session with the physical therapist assistant, either in person or remotely via telehealth; and

(2) document a collaborative discussion with the physical therapist assistant and the continued appropriateness of the plan of care.

ARTICLE 11

ADVANCED PRACTICE REGISTERED NURSE PRACTICE

Section 1. Minnesota Statutes 2024, section 148.211, subdivision 1c, is amended to read:

Subd. 1c. **Postgraduate practice.** A nurse practitioner or clinical nurse specialist who qualifies for licensure as an advanced practice registered nurse must practice for at least 2,080 hours, within the context of a collaborative agreement~~, within a hospital or integrated clinical setting where advanced practice registered nurses and physicians work together to provide patient care~~. The nurse practitioner or clinical nurse specialist shall submit written evidence to the board with the application, or upon completion of the required collaborative practice experience. For purposes of this subdivision, a collaborative agreement is a mutually agreed upon plan for the overall working relationship between a nurse practitioner or clinical nurse specialist, and one or more ~~physicians licensed under chapter 147 or in another state or United States territory, or one or more advanced practice registered nurses licensed under this section that designates the scope of collaboration necessary to manage the care of patients. The nurse practitioner or clinical nurse specialist, and one of the collaborating physicians or advanced practice registered nurses, must have experience in providing care to patients with the same or similar medical problems~~ of the following:

(1) physicians licensed under chapter 147 or in another state or United States territory who have experience in providing care to patients with the same or similar medical problems; or

(2) advanced practice registered nurses licensed under this section who have at least three years of practice as an advanced practice registered nurse and who have experience providing care to patients with the same or similar medical problems.

Sec. 2. Minnesota Statutes 2024, section 148.211, is amended by adding a subdivision to read:

Subd. 1d. **Postgraduate practice in certain specialties.** Notwithstanding subdivision 1c, a nurse practitioner or clinical nurse specialist who provides services other than primary care services or mental health services in their first 2,080 hours of practice must complete their collaborative practice agreement in a setting where advanced practice registered nurses and physicians work together to provide patient care.

ARTICLE 12

HEALTH-RELATED PROFESSIONS; PRACTICING WITHOUT A LICENSE

Section 1. Minnesota Statutes 2024, section 147.081, subdivision 1, is amended to read:

Subdivision 1. **Unlawful practice of medicine.** It is unlawful for any person who is not a natural person to practice medicine as defined in subdivision 3. It is unlawful for any natural person to practice medicine as defined in subdivision 3 in this state unless:

(1) the person holds a valid license issued according to this chapter; or

(2) the person is registered to provide interstate telehealth services according to section 147.032.

Sec. 2. Minnesota Statutes 2024, section 148.61, subdivision 5, is amended to read:

Subd. 5. **Gross misdemeanor.** It is unlawful for any person who is not a natural person to practice optometry in this state. Every natural person not licensed by the board pursuant to section 148.57 who practices optometry in this state shall be guilty of a gross misdemeanor.

Sec. 3. Minnesota Statutes 2024, section 148.941, subdivision 6, is amended to read:

Subd. 6. **Violation.** It is unlawful for any person who is not a natural person to engage in the practice of psychology or misrepresent themselves as a psychologist or psychological practitioner. Natural persons who engage in the unlicensed practice of psychology or who misrepresent themselves as psychologists or psychological practitioners are guilty of a gross misdemeanor.

ARTICLE 13

APPROPRIATIONS

Section 1. **APPROPRIATION; MASSAGE THERAPIST AND ASIAN BODYWORK THERAPIST REGISTRATION.**

$147,000 in fiscal year 2027 is appropriated from the state government special revenue fund to the commissioner of health to administer regulatory requirements for massage therapists and Asian bodywork therapists under Minnesota Statutes, sections 148.636 to 148.6377. The base for this appropriation is $1,758,000 in fiscal year 2028 and $1,815,000 in fiscal year 2029.

Sec. 2. **APPROPRIATION; MUSIC THERAPIST LICENSURE.**

$87,000 in fiscal year 2027 is appropriated from the state government special revenue fund to the commissioner of health to administer licensing requirements for music therapists under Minnesota Statutes, sections 148H.01 to 148H.16. The base for this appropriation is $55,000 in fiscal year 2028 and $55,000 in fiscal year 2029."

Delete the title and insert:

"A bill for an act relating to health occupations; modifying licensing and scope of practice for acupuncture and herbal medicine practice, athletic training, mortuary science, social work, dentistry practice, marriage and family therapy, pharmacy practice, physical therapists, and advanced practice registered nurses; establishing registration for massage therapists and Asian bodywork therapists; establishing licensure for music therapists; modifying certain unlicensed practice provisions; establishing advisory councils; imposing civil penalties; requiring reports; imposing fees; appropriating money; amending Minnesota Statutes 2024, sections 144.0572, subdivision 1; 146A.01, subdivision 4; 146A.06, subdivision 3; 146A.09, by adding a subdivision; 147.081, subdivision 1; 147B.01, subdivisions 3, 4, 5, 9, 12, 14, 16, 16a, by adding subdivisions; 147B.02, subdivisions 4, 12; 147B.03, subdivisions 1, 2, 3, 4; 147B.05, subdivisions 1, 3; 147B.06, subdivisions 1, 5, by adding a subdivision; 148.211, subdivision 1c, by adding a subdivision; 148.61, subdivision 5; 148.65, subdivisions 5, 6; 148.706, subdivisions 1, 2, 3; 148.7802, subdivision 6, by adding a subdivision; 148.7806; 148.7807; 148.7814; 148.941, subdivision 6; 148B.35; 148E.065, subdivision 4a; 148E.195, subdivision 2a; 148E.280; 149A.02, subdivision 26; 149A.20, subdivisions 6, 7; 149A.30, subdivision 1; 150A.01, subdivision 6a; 150A.05, subdivisions 1, 2; 150A.06, subdivisions 1, 1a, 1b, 1c, 2, 2a, 2c, 2d, 3, 8, 9, 11; 150A.08, subdivision 1; 150A.081, subdivision 1; 150A.091, subdivisions 2, 4, 5, 7, 8, 9a, 10, 20, by adding a subdivision; 150A.10, subdivisions 1, 1a, 4; 150A.105, subdivision 8; 150A.106, subdivision 3; 150A.11, subdivision 1; 151.01, subdivision 27; 151.071, subdivision 2; 151.37, by adding a subdivision; 152.11, subdivision 2; 152.12, by adding a subdivision; Minnesota Statutes 2025 Supplement, sections 147B.02, subdivisions 7, 9; 147B.06, subdivision 4; 150A.06, subdivision 12; 151.01, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 148; proposing coding for new law as Minnesota Statutes, chapter 148H; repealing Minnesota Statutes 2024, sections 147B.01, subdivision 18; 148.7802, subdivisions 4, 5; 150A.06, subdivision 6."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Marty from the Committee on Finance, to which was referred

H.F. No. 4591: A bill for an act relating to state government; modifying eligibility for public television station block grants and noncommercial radio station grants; appropriating money; amending Minnesota Statutes 2024, sections 129D.13, subdivision 1; 129D.14, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

STATE GOVERNMENT APPROPRIATIONS

Section 1. Laws 2023, chapter 70, article 20, section 12, as amended by Laws 2023, chapter 75, section 13, and Laws 2024, chapter 127, article 67, section 15, is amended to read:

Sec. 12. **COMMISSIONER OF MANAGEMENT AND BUDGET**	**$ 12,932,000**	**$ ~~3,412,000~~ 2,412,000**

(a) **Outcomes and evaluation consultation.** $450,000 in fiscal year 2024 and $450,000 in fiscal year 2025 are for outcomes and evaluation consultation requirements.

(b) **Department of Children, Youth, and Families.** $11,931,000 in fiscal year 2024 and ~~$2,066,000~~ $1,066,000 in fiscal year 2025 are to establish the Department of Children, Youth, and Families. This is a onetime appropriation.

(c) **Health care subcabinet.** $551,000 in fiscal year 2024 and $664,000 in fiscal year 2025 are to hire an executive director for the health care subcabinet and to provide staffing and administrative support for the health care subcabinet.

(d) **Base level adjustment.** The general fund base is $1,114,000 in fiscal year 2026 and $1,114,000 in fiscal year 2027.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Laws 2026, chapter 92, article 1, section 20, subdivision 1, is amended to read:

Subdivision 1. **Inspector general.** ~~$1,875,000~~ $2,139,000 in fiscal year 2027 is appropriated from the general fund to the Office of the Inspector General for purposes of this act. The base for this appropriation is ~~$5,852,000~~ $6,562,000 in fiscal year 2028 and ~~$5,852,000~~ $6,562,000 in fiscal year 2029. The commissioner of administration, in consultation with the commissioner of management and budget, may transfer amounts in fiscal year 2027 to the commissioner of administration for office build out, cost of space, office equipment, and other costs directly related to the establishment of the office.

Sec. 3. Laws 2026, chapter 92, article 1, section 20, subdivision 5, is amended to read:

Subd. 5. **Human services.** ~~$4,918,000~~ $3,075,000 in fiscal year 2027 is appropriated from the general fund to the commissioner of human services to coordinate with the Office of the Inspector General as required under this act. The base for this appropriation is ~~$5,720,000~~ $3,591,000 in fiscal year 2028 and ~~$5,720,000~~ $3,591,000 in fiscal year 2029.

Sec. 4. Laws 2026, chapter 92, article 1, section 20, is amended by adding a subdivision to read:

Subd. 7. **Education.** $262,000 in fiscal year 2027 is appropriated from the general fund to the commissioner of education for data sharing preparation. The base for this appropriation is $348,000 in fiscal year 2028 and $348,000 in fiscal year 2029.

Sec. 5. Laws 2026, chapter 92, article 1, section 20, is amended by adding a subdivision to read:

Subd. 8. **Minnesota IT Services.** $561,000 in fiscal year 2027 is appropriated from the general fund to the commissioner of Minnesota Information Technology Services for operations that support data sharing between agencies. The base for this appropriation is $1,272,000 in fiscal year 2028 and $1,272,000 in fiscal year 2029.

Sec. 6. **APPROPRIATIONS; DEPARTMENT OF ADMINISTRATION.**

(a) $1,825,000 in fiscal year 2026 is appropriated from the general fund to the commissioner of administration for grants to public television stations for operations. Of this amount, $332,000 is for a grant to Pioneer PBS; $450,000 is for a grant to Lakeland PBS; $616,000 is for a grant to KSMQ; $237,000 is for a grant to PBS North; and $190,000 is for a grant to Prairie Public television.

(b) $100,000 in fiscal year 2027 is appropriated from the general fund to the commissioner of administration for grants to the Association of Minnesota Public Educational Radio Stations to provide resources, software, training, and assistance to help its member stations consolidate resources and expenses. This is a onetime appropriation.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 7. **APPROPRIATION; MELISSA AND MARK HORTMAN MEMORIAL STATE PARK WORKING GROUP.**

$86,000 in fiscal year 2027 is appropriated from the general fund to the Legislative Coordinating Commission for the administrative costs of the Melissa and Mark Hortman Memorial State Park working group in article 2, section 15. This is a onetime appropriation.

ARTICLE 2

STATE GOVERNMENT POLICY

Section 1. **[3.051] CONTINUING OPERATIONS IN ADVANCE OF LEGISLATIVE ORGANIZATION.**

Subdivision 1. **House of representatives and senate.** During the period beginning on the commencement of a new term, and ending at the time that the applicable house has duly organized, the chief clerk of the house of representatives and the secretary of the senate are authorized to direct

the following actions and conduct other duties as necessary to maintain the orderly administrative operation of their respective houses:

(1) the designation of all last elected officers who are not members of the legislature, to serve as acting officers and to perform the duties of those offices until such time as successor officers are elected and qualified; and

(2) the appointment of all employees employed as of the end of the prior term, to continue their assigned duties; the appointment of any additional employees agreed to by the designated leaders of the two largest incoming caucuses; and the granting of administrative approvals as needed to process employee terminations and leaves.

Subd. 2. **Legislative Coordinating Commission.** The chief clerk of the house and the secretary of the senate, acting jointly, may direct actions necessary to maintain the orderly administrative operation of the Legislative Coordinating Commission until both houses of the legislature have duly organized.

Sec. 2. Minnesota Statutes 2025 Supplement, section 3.06, subdivision 2, is amended to read:

Subd. 2. **Successors.** Upon the expiration of a term, the last elected chief clerk of the house of representatives and the last elected secretary of the senate shall continue to exercise the duties of those offices, until a successor is elected and qualified. If an officer of the house of representatives or senate resigns or dies, the duties of the officer shall be performed by a successor as provided in the rules of the officer's house until a successor is elected at a regular or special session.

Sec. 3. Minnesota Statutes 2024, section 3.195, subdivision 1, is amended to read:

Subdivision 1. **Distribution of reports.** (a) Except as provided in subdivision 4, a report to the legislature required of a department or agency shall be made, unless otherwise specifically required by law, by filing one copy with the Legislative Reference Library, and by making the report available electronically to the Legislative Reference Library. Except as provided in paragraph (e), the same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the Legislative Reference Library.

(b) A public entity as defined in section 16C.073 shall not distribute a report or publication to a member or employee of the legislature, except the Legislative Reference Library, unless the entity has determined that the member or employee wants the reports or publications published by that entity or the member or employee has requested the report or publication. This prohibition applies to both mandatory and voluntary reports and publications. A report or publication may be summarized in an executive summary and distributed as the entity chooses. Distribution of a report to legislative committee or commission members during a committee or commission hearing is not prohibited by this section.

(c) A report or publication produced by a public entity may not be sent to both the home address and the office address of a representative or senator unless mailing to both addresses is requested by the representative or senator.

(d) Reports, publications, periodicals, and summaries under this subdivision must be printed in a manner consistent with section 16C.073.

(e) If a department or agency is required by law to submit a report to one or more members of a legislative committee, the department or agency must submit the report to the members electronically.

Sec. 4. Minnesota Statutes 2024, section 3.888, subdivision 7, is amended to read:

Subd. 7. **Expiration.** The commission expires December 31, ~~2028~~ 2035.

Sec. 5. Minnesota Statutes 2024, section 5.08, is amended to read:

5.08 LEGISLATIVE MANUAL.

Subdivision 1. **Preparation.** The secretary of state shall prepare, compile, edit, and distribute for use at each regular legislative session, a convenient manual, properly indexed, and containing: The federal and state constitutions; the acts of Congress relating to the organization of the territory and state; the rules of order and joint rules of the two houses, and lists of their members, committees and employees; the names of all state officials, whether elected or appointed, and of all persons holding office from this state under the national government; the ~~places~~ municipalities where the said several officials reside, and the annual compensation of each; and statistical and other information of the kind heretofore published in the legislative manuals.

Subd. 2. **Distribution.** ~~10,000~~ 5,000 copies of the legislative manual shall be printed and distributed as follows:

(1) up to ~~20~~ 5 copies shall be available to each member of the legislature on request;

(2) ~~50~~ 12 copies to the State Historical Society;

(3) ~~25~~ 2 copies to the state university;

(4) ~~60~~ 30 copies to the state library;

(5) ~~two copies~~ one copy each to the Library of Congress, the Minnesota veterans homes, the universities, the high schools, academies, seminaries, and colleges of the state, and the public libraries of the state;

(6) one copy each to other state institutions, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the court of appeals and the district court, the senators and representatives in Congress from this state, and the county auditors, recorders, and attorneys; and

(7) ~~one copy to each school, to be distributed through the superintendent of each school district; and~~

~~(8)~~ the remainder may be disposed of as the secretary of state deems best.

Sec. 6. Minnesota Statutes 2025 Supplement, section 15A.082, subdivision 3, is amended to read:

Subd. 3. **Submission of recommendations and determination.** (a) By September 1 in each even-numbered year, the Compensation Council shall submit to the speaker of the house and the president of the senate salary recommendations for justices of the supreme court, and judges of the court of appeals and district court. The recommended salaries take effect on July 1 of the next year and July 1 of the subsequent even-numbered year, unless the legislature by law provides otherwise. The salary recommendations take effect if an appropriation of money to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. Recommendations may be expressly modified or rejected.

(b) By ~~April~~ May 1 in each odd-numbered year, the Compensation Council must prescribe salaries for constitutional officers, and for the agency and metropolitan agency heads identified in section 15A.0815. The prescribed salary for each office must take effect July 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval the council determines thereafter, unless the legislature by law provides otherwise. An appropriation by the legislature to fund the relevant office, branch, or agency of an amount sufficient to pay the salaries prescribed by the council constitutes a prescription by law as provided in the Minnesota Constitution, article V, sections 4 and 5.

(c) By ~~April~~ May 1 in each odd-numbered year, the Compensation Council must prescribe daily compensation for voting members of the Direct Care and Treatment executive board. The recommended daily compensation takes effect on July 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval the council recommends thereafter, unless the legislature by law provides otherwise.

Sec. 7. **[16A.402] CASH TRANSACTION ROUNDING.**

Subdivision 1. **Authorization to round cash transactions.** (a) Notwithstanding any other provision of law, an agency entering into any transaction with a person that results in a payment or transfer of cash between the parties to the transaction may round the payment in the following manner:

(1) in any case in which the total transaction amount ends with 1 cent, 2 cents, 6 cents, or 7 cents as the final digit, the amount of cents in the sum shall be rounded down to the nearest amount divisible by 5;

(2) in any case in which the total transaction amount ends with 3 cents, 4 cents, 8 cents, or 9 cents as the final digit, the amount of cents in the sum shall be rounded up to the nearest amount divisible by 5; and

(3) notwithstanding clause (1), transactions in which the transaction total is $0.01 or $0.02 shall be rounded up to $0.05.

(b) A party authorized to engage in a transaction on behalf of an agency may round the payment in the manner directed by the agency consistent with this section.

(c) This section does not apply to a transaction for which payment is made by electronic fund transfer, check, gift card, money order, credit card, or other similar instrument or method.

Subd. 2. **Policy posted.** An agency that engages in cash transactions must establish a policy for rounding cash transactions consistent with this section and post the policy at each location where cash transactions occur.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 8. Minnesota Statutes 2024, section 16B.97, subdivision 4, is amended to read:

Subd. 4. **Duties.** (a) The commissioner shall:

(1) create general grants management policies and procedures that are applicable to all executive agencies. The commissioner's policies and procedures must include a grantee fraud risk rating system with corresponding grants management requirements that are informed by the principles of vendor risk management. The commissioner may approve exceptions to these policies and procedures for particular grant programs. Exceptions shall expire or be renewed after five years. Executive agencies shall retain management of individual grants programs;

(2) provide a central point of contact concerning statewide grants management policies and procedures;

(3) serve as a resource to executive agencies in such areas as training, evaluation, collaboration, and best practices in grants management;

(4) ensure grants management needs are considered in the development, upgrade, and use of statewide administrative systems and leverage existing technology wherever possible;

(5) oversee and approve future professional and technical service contracts and other information technology spending related to executive agency grants management systems and activities;

(6) provide a central point of contact for comments about executive agencies violating statewide grants governance policies and about fraud and waste in grants processes;

(7) forward received comments to the appropriate agency for further action, and may follow up as necessary;

(8) provide a single listing of all available executive agency competitive grant opportunities and resulting grant recipients;

(9) selectively review development and implementation of executive agency grants, policies, and practices; and

(10) selectively review executive agency compliance with best practices.

(b) The commissioner may determine that it is cost-effective for agencies to develop and use shared grants management technology systems. This system would be governed under section 16E.01, subdivision 3, paragraph (b).

EFFECTIVE DATE. This section is effective February 1, 2028.

Sec. 9. Minnesota Statutes 2024, section 16B.97, subdivision 4, is amended to read:

Subd. 4. **Duties.** (a) The commissioner shall:

(1) create general grants management policies and procedures that are applicable to all executive agencies. The commissioner may approve exceptions to these policies and procedures for particular grant programs. Exceptions shall expire or be renewed after five years. Executive agencies shall retain management of individual grants programs;

(2) provide a central point of contact concerning statewide grants management policies and procedures;

(3) serve as a resource to executive agencies in such areas as training, evaluation, collaboration, and best practices in grants management;

(4) ensure grants management needs are considered in the development, upgrade, and use of statewide administrative systems and leverage existing technology wherever possible;

(5) oversee and approve future professional and technical service contracts and other information technology spending related to executive agency grants management systems and activities;

(6) provide a central point of contact for comments about executive agencies violating statewide grants governance policies and about fraud and waste in grants processes;

(7) forward received comments to the appropriate agency for further action, and may follow up as necessary;

(8) provide a single listing of all available executive agency competitive grant opportunities and resulting grant recipients;

(9) selectively review development and implementation of executive agency grants, policies, and practices; ~~and~~

(10) selectively review executive agency compliance with best practices~~.~~; and

(11) provide a standard template summary page for requests for proposals (RFP) that represent key information about the grant opportunity in a clear and accessible format. The template must include information regarding the purpose of the program, applicant eligibility, funding availability and award structure, grant administration requirements, and the application process. The summary page does not replace or supersede any specific requirement in the full RFP.

(b) The commissioner may determine that it is cost-effective for agencies to develop and use shared grants management technology systems. This system would be governed under section 16E.01, subdivision 3, paragraph (b).

Sec. 10. Minnesota Statutes 2025 Supplement, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) The commissioner is authorized to request proposals or to negotiate and to enter into contracts with parties which in the judgment of the commissioner are best qualified to provide service to the benefit plans. Contracts entered into are not subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate premium rates and coverage. The

commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers, and any other factors that the commissioner deems appropriate. Each benefit contract must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by chapter 297I on premiums paid to it by the state.

(b) All self-insured hospital and medical service products must comply with coverage mandates, data reporting, and consumer protection requirements applicable to the licensed carrier administering the product, had the product been insured, including chapters 62J, 62M, and 62Q. Any self-insured products that limit coverage to a network of providers or provide different levels of coverage between network and nonnetwork providers shall comply with section 62D.123 and geographic access standards for health maintenance organizations adopted by the commissioner of health in rule under chapter 62D.

(c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible employee's child to the full extent required under chapters 62A and 62L. Dependent child coverage must, at a minimum, extend to an eligible employee's dependent child to the limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required in sections 62A.042 and 62A.302.

(d) Beginning January 1, 2010, the health insurance benefit plans offered in the nonrepresented employees compensation plan under section 43A.18, subdivision 2, and the managerial plan under section 43A.18, subdivision 3, ~~must~~ may include an option for a health plan that is compatible with the definition of a high-deductible health plan in section 223 of the United States Internal Revenue Code. The commissioner must notify the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance within 30 days of electing to eliminate the health plan option authorized under this paragraph. The notification must include the commissioner's rationale for this decision.

Sec. 11. Minnesota Statutes 2024, section 129D.13, subdivision 1, is amended to read:

Subdivision 1. **Distribution.** The commissioner shall distribute the money provided by sections 129D.11 to 129D.13. Annually the commissioner shall make block grants which shall be distributed in equal amounts to public stations for operational costs. The commissioner shall allocate money appropriated for the purposes of sections 129D.11 to 129D.13 in such a manner that each eligible public station receives a block grant. In addition, the commissioner shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state money under this section for grants made in fiscal year 1979. No station's matching grant in any fiscal year shall exceed the amount of Minnesota-based contributions received by that station in the previous fiscal year. Grants made pursuant to this subdivision may only be given to those federally licensed stations that ~~are~~ were certified as eligible for community service grants through the Corporation for Public Broadcasting in 2024. Grant funds not expended by a station during the first year of the biennium do not cancel and may be carried over into the second fiscal year.

Sec. 12. Minnesota Statutes 2024, section 129D.14, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** (a) To qualify for a grant under this section, the licensee must:

(1) hold a valid noncommercial radio station license from the FCC that is a Class "A" or "C" FM, as defined in Code of Federal Regulations, title 47, subpart B, sections 73.210 and 73.211 or Class "C" or "D" AM, as defined in Code of Federal Regulations, title 47, subpart A, section 73.21. Stations with a Class "L1" and "LP100" are not eligible for this funding. The station must be licensed to a community in the state of Minnesota and must be operated as a noncommercial educational station;

(2) have facilities adequate to provide local program production and origination;

(3) employ a minimum of ~~two full-time~~ 1-1/2 professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of ~~two full-time~~ 1-1/2 professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(4) maintain a minimum daily broadcasting schedule of (i) the maximum allowed by its Federal Communications Commission license, or (ii) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(5) broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license with an exception for power outages and natural disasters;

(6) have a daily broadcast schedule devoted primarily to programming that serves ascertained community needs of an educational, informational or cultural nature within its primary signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in-school or professional in-service audiences;

(7) originate significant, locally produced programming designed to serve its community of license;

(8) have a total annual operating income and budget of at least $50,000;

(9) have either a board of directors representing the community or a community advisory board that conducts advisory board meetings that are open to the public;

(10) have a board of directors that: (i) holds the portion of any meeting relating to the management or operation of the radio station open to the public, and (ii) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at the meeting, to register the person's name or to provide any other information; and

(11) have met the criteria in clauses (1) to (10) for six months before it is eligible for state assistance under this section.

(b) The commissioner shall accept the judgment of Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the station is not qualified for assistance or is qualified for but not receiving funding from the

Corporation for Public Broadcasting, an independent audit is required to verify eligibility under paragraph (a), clause (8). If neither is available, the commissioner may accept a written declaration of eligibility signed by an independent auditor, a certified public accountant, or the chief executive officer of the station's parent organization.

Sec. 13. Minnesota Statutes 2024, section 138.669, is amended to read:

138.669 CONTRACTS FOR HISTORIC SITE MANAGEMENT.

The Minnesota Historical Society may contract ~~with a county, municipality, or a county or local historical society~~ for the management and operation of sites in the state historic site network. Notwithstanding section 138.668, the contract may provide for the retention of admission fees received by the management unit and for grants-in-aid to the management unit for use in the site's operation and maintenance.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 14. Laws 2026, chapter 92, article 1, section 3, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective June 1, 2026, for the Compensation Council to set the salary for the Inspector General beginning January 1, 2027.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 15. **MELISSA AND MARK HORTMAN MEMORIAL STATE PARK WORKING GROUP.**

Subdivision 1. **Melissa and Mark Hortman Memorial State Park working group.** (a) The Melissa and Mark Hortman Memorial State Park working group consists of the following members:

(1) the governor or the governor's designee;

(2) the commissioner of administration or the commissioner's designee;

(3) the commissioner of natural resources or the commissioner's designee;

(4) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

(5) the executive director of the Minnesota Historical Society or the executive director's designee;

(6) the chairs and ranking minority members of the senate committees with primary jurisdiction over the Department of Administration and Department of Natural Resources or their designees;

(7) the cochairs of the house of representatives committees with primary jurisdiction over the Department of Administration and Department of Natural Resources or their designees; and

(8) the mayor of the city of St. Paul or the mayor's designee.

(b) Appointing authorities must submit their appointments to the executive director of the Legislative Coordinating Commission no later than July 15, 2026.

Subd. 2. **Recommendations.** The working group must make recommendations for the creation of the Melissa and Mark Hortman Memorial State Park within the Capitol Area as defined in Minnesota Statutes, section 15B.02, including:

(1) identifying the roles and responsibilities of the commissioners of administration and natural resources, the Minnesota Historical Society, and the Capitol Area Architectural and Planning Board related to the administration of the park, including assigning the roles and responsibilities for providing educational programming, interpretive services, planning processes for physical changes, and public engagement activities within the park; and

(2) funding recommendations for establishing and maintaining the park and related programming.

Subd. 3. **Chair.** The working group must elect a chair at its first meeting from among its legislative members.

Subd. 4. **Administrative support; meetings.** (a) The Legislative Coordinating Commission must provide administrative support and convene the first meeting by August 15, 2026.

(b) The working group must meet at regular intervals as often as necessary to develop the recommendations under subdivision 2.

Subd. 5. **Per diem; expenses.** Members of the working group serve without pay, except that legislative members may receive per diem from their respective legislative bodies according to the rules of their respective legislative bodies. All members may be reimbursed for expenses incurred as provided in Minnesota Statutes, section 15.059, subdivision 3.

Subd. 6. **Report.** By February 1, 2027, the working group must submit a written report containing its recommendations to the chairs and ranking minority members of the house of representatives and senate committees with primary jurisdiction over the Department of Administration and the Department of Natural Resources. The report must include draft legislation, if needed, to implement the recommendations of the working group. The working group expires March 15, 2027, or upon submission of the report required by this subdivision, whichever occurs later.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 3

BOARD OF BARBER EXAMINERS

Section 1. Minnesota Statutes 2024, section 154.001, subdivision 2, is amended to read:

Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established to consist of four barber members and one public member, as defined in section 214.02, appointed by the governor.

(b) The barber members shall be persons who have practiced as registered barbers in this state for at least five years immediately prior to their appointment; shall be graduates from the 12th grade of a high school or have equivalent education, and shall have knowledge of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One of the barber members shall be a~~

~~member of, or recommended by, a union of journeymen barbers that has existed at least two years, and one barber member shall be a member of, or recommended by, a professional organization of barbers.~~

Sec. 2. Minnesota Statutes 2024, section 154.003, is amended to read:

154.003 FEES.

(a) The fees collected, as required in this chapter, chapter 214, and the rules of the board, shall be paid to the board. The board shall deposit the fees in the general fund in the state treasury.

(b) The board shall charge the following fees:

(1) practical examination ~~and certificate~~, registered barber, ~~$85~~ $80;

~~(2) retake of written examination, $10;~~

(2) initial barber registration, $80;

(3) examination and certificate, instructor, $180;

(4) certificate, instructor, $65;

(5) temporary teacher permit, $80;

(6) temporary registered barber, military, $85;

(7) temporary barber instructor, military, $180;

(8) renewal of registration, registered barber, $80;

(9) renewal of registration, instructor, $80;

(10) renewal of temporary teacher permit, $65;

(11) student permit, $45;

(12) renewal of student permit, $25;

(13) initial shop registration, $85;

(14) initial school registration, $1,030;

(15) renewal shop registration, $85;

(16) renewal school registration, $280;

(17) restoration of registered barber registration, $95;

(18) restoration of shop registration, $105;

(19) change of ownership or location, $55;

(20) duplicate registration, $40;

(21) home study course, $75;

(22) letter of registration verification, $25; and

(23) reinspection, $100.

(c) If the board uses a board-approved examination provider for any portion of the comprehensive registered barber examination and the provider charges a fee, an examinee must pay the fee directly to the provider. A fee charged by a provider under this paragraph is separate from and not included in the fees that an examinee pays to the board.

Sec. 3. Minnesota Statutes 2024, section 154.01, is amended to read:

154.01 REGISTRATION MANDATORY.

(a) The registration of the practice of barbering serves the public health and safety of the people of the state of Minnesota by ensuring that individuals seeking to practice the profession of barbering are appropriately trained in the use of the chemicals, tools, and implements of barbering and demonstrate the skills necessary to conduct barber services in a safe, sanitary, and appropriate environment required for infection control.

(b) No person shall practice, offer to practice, or attempt to practice barbering without a current certificate of registration as a registered barber, issued ~~pursuant to provisions of sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

(c) A registered barber must only provide barbering services in a registered barber shop or barber school, unless prior authorization is given by the board.

(d) No person shall operate a barber shop unless it is at all times under the direct supervision and management of a registered barber and the owner or operator of the barber shop possesses a current shop registration card, issued to the barber shop establishment address~~, under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

(e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering without a current certificate of registration as a registered instructor of barbering or a temporary permit as an instructor of barbering, as provided for the board by rule, issued ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners. Barber instruction must be provided in registered barber schools only.

(f) No person shall operate a barber school unless the owner or operator possesses a current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

Sec. 4. Minnesota Statutes 2024, section 154.02, subdivision 1, is amended to read:

Subdivision 1. **What constitutes barbering.** Any one or any combination of the following practices when done upon the head, face, and neck for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment directly or indirectly or without payment for the public generally constitutes the practice of barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the face or neck using a straight razor or other tool, trim the beard, clean, condition, cut, color, shape, or straighten the hair of any person of either sex for compensation or other reward received by the person performing such service or any other person; to give facial and scalp massage with oils, creams, lotions, or other preparations either by hand or mechanical appliances; to singe, shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics, powders, oils, clays, or lotions to hair, scalp, face, or neck. The removal of hair through the process of waxing is not barbering.

Sec. 5. Minnesota Statutes 2024, section 154.02, subdivision 4, is amended to read:

Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate issued to an individual, a barber shop, or a barber school that is in compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

Sec. 6. Minnesota Statutes 2024, section 154.02, is amended by adding a subdivision to read:

Subd. 7. **Straight razor.** A straight razor is a razor with a rigid steel cutting blade or a replaceable blade that is hinged to a case that forms a handle when the razor is open for use.

Sec. 7. Minnesota Statutes 2024, section 154.02, is amended by adding a subdivision to read:

Subd. 8. **Waxing.** Waxing is the process of removing hair from a part of the body by applying wax and peeling off the wax.

Sec. 8. Minnesota Statutes 2024, section 154.05, is amended to read:

154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A REGISTERED BARBER.

~~(a)~~ A person is qualified to receive a certificate of registration as a registered barber if the person:

(1) ~~has successfully completed ten grades of education~~ is at least 17 years of age;

(2) has successfully completed 1,500 hours of study of which 281 hours are classroom hours and 1,219 hours are practical hours in a board-approved barber school; and

(3) has passed ~~an~~ a comprehensive examination ~~conducted by the board~~ in accordance with section 154.09 to determine the person's fitness to practice barbering.

~~(b) A first-time applicant for a certificate of registration to practice as a registered barber who fails to pass the comprehensive examination conducted by the board and who fails to pass a onetime retake of the written examination, shall complete an additional 500 hours of barber education before being eligible to retake the comprehensive examination as many times as necessary to pass.~~

Sec. 9. Minnesota Statutes 2024, section 154.07, subdivision 1, is amended to read:

Subdivision 1. **Admission requirements; course of instruction.** No barber school shall be approved by the board unless ~~it~~ the barber school requires, ~~as a prerequisite to admission, ten grades of an approved school or its equivalent, as determined by educational transcript, high school diploma, high school equivalency certificate, or an examination conducted by the commissioner of education, which shall issue a certificate that the student has passed the required examination, and unless it requires,~~ as a prerequisite to graduation, a course of instruction of at least 1,500 hours of not more than ten hours of schooling in any one working day. The course of instruction must include the following subjects: scientific fundamentals for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting and dyeing the hair; and the chemical waving and straightening of hair.

Sec. 10. Minnesota Statutes 2024, section 154.07, is amended by adding a subdivision to read:

Subd. 7. **Application review process.** (a) Upon receipt of an application to establish a barber school, the board must consider the application during a meeting that is open to the public. At the meeting, the applicant must demonstrate that:

(1) the contents of the application are true, as required by this chapter and the rules of the board; and

(2) the applicant has sufficient financial resources to fund the barber school.

(b) The board may deny an application if the board determines that the applicant's financial resources would be insufficient to:

(1) maintain and operate a barber school; and

(2) ensure that the barber school would be open long enough for all registered students to graduate from the barber school.

Sec. 11. Minnesota Statutes 2024, section 154.08, is amended to read:

154.08 APPLICATION; FEE.

Each applicant for an examination shall:

(1) make an application to the Board of Barber Examiners or a board-approved examination provider on blank forms prepared and furnished by ~~it, the application to~~ the board or the board-approved provider. The application must contain proof under the applicant's oath of the particular qualifications and identity of the applicant;

(2) provide all documentation required in support of the application;

(3) pay to the board the required fee; ~~and~~

(4) upon acceptance of the notarized application, present a corresponding government-issued photo identification when the applicant appears for the examination~~.~~; and

(5) file an application with the board no later than the 20th day of the month preceding the month when the practical portion of the exam is administered.

Sec. 12. Minnesota Statutes 2024, section 154.09, is amended to read:

154.09 EXAMINATIONS, CONDUCT AND SCOPE.

Subdivision 1. **Examination dates.** The board or a board-approved examination provider shall conduct practical examinations of applicants for certificates of registration to practice as registered barbers not more than ~~six~~ eight times each year, at such time and place as the board may determine. ~~Additional~~ Written examinations may be scheduled ~~by the board~~ and conducted by board staff or a board-approved provider as designated by the board.

Subd. 2. **Documentation required.** The ~~proprietor~~ owner or operator of a barber school must file an affidavit with the board of hours completed by students applying to take the ~~registered barber~~ comprehensive examination. Students must complete the full 1,500-hour curriculum in a barber school approved by the board ~~within the past four years~~ to be eligible for the examination. ~~Barber students who have completed barber school more than four years prior to application, that have not obtained a barber registration, license, or certificate in any jurisdiction must complete an additional 500 hours of barber school education to be eligible for the registered barber examination.~~

Subd. 3. **Examinations for registration restoration.** ~~Registered barbers that fail~~ An individual who fails to renew ~~their~~ the individual's barber registration for four or more years ~~are~~ is required to purchase and complete the Home Study Course for Barbers program that was prepared and approved by the board before the individual is eligible to apply to take the ~~registered barber~~ comprehensive examination to reinstate the individual's registration.

Subd. 4. **Examinations for individuals seeking reciprocity.** An individual who must pass the comprehensive examination under section 154.11 must purchase and complete the "Home Study Course for Barbers" program that was prepared and approved by the board before the individual is eligible to take the comprehensive examination.

Subd. 5. **Contents of examination.** The comprehensive examination ~~of applicants for certificates of registration as barbers shall~~ must include:

(1) a practical ~~demonstration~~ portion that consists of a haircut and three of the following practical services that the board shall determine: a shave, a beard trim, a shampoo, a perm wrap, a facial, or a color application; and

(2) a written ~~test. The examination must cover~~ portion that covers the subjects taught in barber schools ~~registered with the board, including~~ as required by this chapter, applicable state ~~statute~~ statutes, and ~~rule~~ rules.

Subd. 6. **Examination grading.** The comprehensive examination must be graded as follows:

(1) the grading for the practical portion of the examination must be on a scale of one to 100, with 100 representing a perfect score. A score of 75 must be the minimum passing grade for the haircut portion, and 75 must be the minimum passing score for the average of the remaining parts of the practical examination; and

(2) the minimum passing score for the written portion of the examination is 75 percent.

Subd. 7. **Failure of examination.** (a) An individual who does not pass one portion of the comprehensive examination within a year of passing the other portion of the comprehensive examination must retake the entire comprehensive examination.

(b) An individual who has failed a portion of the comprehensive examination may retake that portion of the examination within a year of passing the other portion after meeting the requirements of this chapter, paying any required fees, and making an application to the board as required by section 154.08.

Sec. 13. Minnesota Statutes 2024, section 154.11, subdivision 1, is amended to read:

Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the requirements for barber registration in ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either has a currently active license, certificate of registration, or equivalent as a practicing barber or instructor of barbering as verified from another state or, if presenting foreign country credentials as verified by a board-approved professional credential evaluation provider, which in the discretion of the board has substantially the same requirements for registering barbers and instructors of barbering as required ~~by sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ in this chapter shall, upon payment of the required fee, be issued a certificate of registration without examination.

(b) Individuals without a current documented license, certificate of registration, or equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber education as verified by the barber school attended in the other state or if presenting foreign country education as verified by a board-approved professional credential evaluation provider, completed within the previous four years, which, in the discretion of the board, has substantially the same requirements as required in ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter will be eligible for examination.

(c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject to all the requirements of section 154.05.

Sec. 14. Minnesota Statutes 2024, section 154.11, is amended by adding a subdivision to read:

Subd. 4. **Examination of cosmetologists.** (a) A person may be credited with up to 1,000 hours of study toward the 1,500 hours of study required under section 154.05 if the person:

(1) has hours of study that the board determines are substantially similar to the requirements in section 154.07;

(2) has a currently active license verified by the issuing state or a certificate of registration verified by the issuing state, or equivalent, as a practicing cosmetologist; or

(3) has credentials as a practicing cosmetologist from a foreign country that are verified by a board-approved professional credential evaluation provider and the board has determined that the foreign country's curriculum requirements are substantially similar to the requirements in section 154.07.

(b) After a person with credited hours under paragraph (a) completes the remaining required hours in a board-approved barber school and meets the requirements of section 154.05, clause (1), the person is eligible for the comprehensive examination.

Sec. 15. **REPEALER.**

Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; 2100.3200; 2100.3300; 2100.4500; 2100.5200, subparts 1, 2, and 5; 2100.5300; and 2100.6000, are repealed.

ARTICLE 4

BOARD OF COSMETOLOGIST EXAMINERS

Section 1. Minnesota Statutes 2024, section 155A.20, is amended to read:

155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.

(a) A Board of Cosmetologist Examiners is established to consist of seven members, appointed by the governor as follows:

(1) two cosmetologists, one of whom is recommended by a professional association of cosmetologists, nail technicians, and estheticians;

(2) two school instructors, one of whom is teaching at a public cosmetology school in the state and one of whom is teaching at a private cosmetology school in the state;

(3) one advanced practice esthetician;

(4) one nail technician; and

(5) one public member, as defined in section 214.02.

(b) All cosmetologist, advanced practice esthetician, and nail technician members must be currently licensed in the field of cosmetology, nail technology, or ~~esthetology,~~ advanced practice esthiology in Minnesota~~,~~; have practiced in the licensed occupation for at least five years immediately prior to their appointment~~, be graduates from grade 12 of high school or have equivalent education,~~; and have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and 2110.

(c) Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements ~~shall~~ must be as provided in sections 214.07 to 214.09. The provision of staff, administrative services, and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations ~~shall~~ must be as provided in chapter 214.

(d) Members appointed to fill vacancies caused by death, resignation, or removal ~~shall~~ must serve during the unexpired term of their predecessors.

Sec. 2. Minnesota Statutes 2024, section 155A.23, subdivision 4, is amended to read:

Subd. 4. **Cosmetologist.** A "cosmetologist" is any person who, for compensation, performs ~~the~~ personal services~~, as defined in subdivision 3~~ for the cosmetic care of the hair, nails, and stratum corneum of the epidermal layer of the skin surface.

Sec. 3. Minnesota Statutes 2024, section 155A.23, subdivision 5, is amended to read:

Subd. 5. **Esthetician.** An "esthetician" is any person who, for compensation, performs personal services for the cosmetic care of the stratum corneum of the epidermal layer of the skin surface only.

Sec. 4. Minnesota Statutes 2024, section 155A.23, subdivision 8, is amended to read:

Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician, advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash technician, and who has a manager license and provides any services under that license, as defined in subdivision 3.

Sec. 5. Minnesota Statutes 2024, section 155A.23, subdivision 9, is amended to read:

Subd. 9. **Salon.** A "salon" is an indoor area, room, or rooms employed to offer personal services, as defined in subdivision 3. ~~"Salon"~~ Salon does not include the home of a customer but the board may adopt health and infection control rules governing practice in the homes of customers.

Sec. 6. Minnesota Statutes 2024, section 155A.23, subdivision 10, is amended to read:

Subd. 10. **School.** A "school" is a place where ~~any person operates and maintains a class to teach~~ cosmetology instruction or training is offered to the public for compensation. ~~"School"~~ School does not include a place ~~where the only teaching of cosmetology is done by a licensed cosmetologist as part of a community education program of less than ten hours duration, provided that the program does not permit practice on persons other than students in the program, and provided that the program is intended solely for the self-improvement of the students~~ that only offers continuing education according to this chapter, additional instruction or training to licensees on services within the licensee's scope of practice, or community education programs for personal enrichment and not as preparation for professional practice.

Sec. 7. Minnesota Statutes 2024, section 155A.23, is amended by adding a subdivision to read:

Subd. 10a. **School administrator.** "School administrator" means the proprietor, if the applicant is a proprietorship; the managing partner, if the applicant is a partnership; the authorized officers, if the applicant is a corporation, association, company, firm, society, or trust; or the dean, principal, or other authorized signatory, if the applicant is a school in the Minnesota State Colleges and Universities system or a secondary school.

Sec. 8. Minnesota Statutes 2024, section 155A.23, subdivision 18, is amended to read:

Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology services, nail technology services, or eyelash technology services.

Sec. 9. Minnesota Statutes 2024, section 155A.25, subdivision 1a, is amended to read:

Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this subdivision.

(b) Three-year license fees are as follows:

(1) $195 initial practitioner, manager, or instructor license, divided as follows:

(i) $155 for each initial license; and

(ii) $40 for each initial license application fee;

(2) $115 renewal of practitioner license, divided as follows:

(i) $100 for each renewal license; and

(ii) $15 for each renewal application fee;

(3) $145 renewal of manager or instructor license, divided as follows:

(i) $130 for each renewal license; and

(ii) $15 for each renewal application fee;

(4) $350 initial salon license, divided as follows:

(i) $250 for each initial license; and

(ii) $100 for each initial license application fee;

(5) $225 renewal of salon license, divided as follows:

(i) $175 for each renewal; and

(ii) $50 for each renewal application fee;

(6) $4,000 initial school license, divided as follows:

(i) $3,000 for each initial license; and

(ii) $1,000 for each initial license application fee; and

(7) $2,500 renewal of school license, divided as follows:

(i) $2,000 for each renewal; and

(ii) $500 for each renewal application fee.

(c) Penalties may be assessed in amounts up to the following:

(1) reinspection fee, $150;

(2) manager and owner with expired practitioner or instructor found on inspection, $150 each;

(3) expired practitioner or instructor found on inspection, $200;

(4) expired salon found on inspection, $500;

(5) expired school found on inspection, $1,000;

(6) failure to display current license, $100;

(7) failure to dispose of single-use equipment, implements, or materials as provided under section 155A.355, subdivision 1, $500;

(8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355, subdivision 2, $500;

~~(9) performing nail or cosmetology services in esthetician salon, or performing esthetician or cosmetology services in a nail salon, $500;~~

~~(10) owner and manager allowing an operator to work as an independent contractor, $200;~~

~~(11) operator working as an independent contractor, $100;~~

~~(12)~~ (9) refusal or failure to cooperate with an inspection, $500;

~~(13)~~ (10) practitioner late renewal fee, $45; and

~~(14)~~ (11) salon or school late renewal fee, $50.

(d) Administrative fees are as follows:

(1) homebound service permit, $50 three-year fee;

(2) name change, $20;

(3) certification of licensure, $30 each;

(4) duplicate license, $20;

~~(5) special event permit, $75 per year;~~

~~(6) $100~~ (5) no fee for ~~each~~ a temporary military license for a cosmetologist, nail technician, esthetician, ~~or~~ advanced practice esthetician ~~one-year fee~~, or eyelash technician;

~~(7)~~ (6) expedited initial individual license, $150;

~~(8)~~ (7) expedited initial salon license, $300;

~~(9)~~ (8) instructor continuing education provider approval, $150 each year; and

~~(10)~~ (9) practitioner continuing education provider approval, $150 each year.

Sec. 10. Minnesota Statutes 2024, section 155A.25, subdivision 3, is amended to read:

Subd. 3. **Other licenses.** A licensee who applies for licensing in a second category ~~shall~~ must pay the full license fee and application fee for the second category of license. If maintaining more than one license, a licensee must pay the renewal and application fee for each license except as provided in section 155A.27, subdivision 6a.

Sec. 11. Minnesota Statutes 2024, section 155A.25, subdivision 5, is amended to read:

Subd. 5. **Board must approve or deny application; timeline.** Within 15 working days of receiving a complete application and the required fees, if any, to apply for or renew an individual or salon license that is not an expedited license or a military license, the board must (1) issue the license, (2) deny the license and notify the applicant of the denial, or (3) if the conditions in subdivision 6 are met, notify the applicant that the board must conduct additional review.

Sec. 12. Minnesota Statutes 2024, section 155A.25, subdivision 7, is amended to read:

Subd. 7. **Temporary military license or expedited license.** Within five business days of receiving a completed application and the required fees, if any, for an individual or salon license that meets requirements for an expedited license or a temporary military license, the board must: (1) issue the license; (2) deny the license and notify the applicant of the denial; or (3) notify the applicant that the board must conduct additional review if the application meets the conditions in subdivision 8.

Sec. 13. Minnesota Statutes 2024, section 155A.27, subdivision 5a, is amended to read:

Subd. 5a. **Temporary military license.** The board ~~shall~~ must establish temporary licenses for a cosmetologist, a hair technician, a nail technician, an eyelash technician, an esthetician, and an advanced practice esthetician in accordance with section 197.4552, subdivision 2. A temporary license issued under section 197.4552, subdivision 2, is valid for a three-year licensing period. The board must only issue one temporary license per applicant.

Sec. 14. Minnesota Statutes 2024, section 155A.27, is amended by adding a subdivision to read:

Subd. 6a. **Instructor license renewal.** (a) When issuing an instructor license to an individual who holds an operator or a salon manager license in the same classification, the board must extend the expiration date of the operator or salon manager license so that both licenses in the same classification expire on the same date.

(b) When an individual simultaneously renews an instructor license and an operator or a salon manager license in the same classification, the board must charge the individual only the instructor renewal license and renewal application fee according to section 155A.25, subdivision 1a, paragraph (b), clause (3), and must not charge a fee for renewing the operator or salon manager license.

EFFECTIVE DATE. This section is effective January 1, 2028.

Sec. 15. Minnesota Statutes 2024, section 155A.27, subdivision 10, is amended to read:

Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, a hair technician, an advanced practice esthetician, a nail technician, an esthetician, or an eyelash technician may be licensed in Minnesota if the individual has completed cosmetology school in a state or country with the same or greater school hour requirements, has an active license in that state or country, ~~and~~ has passed a board-approved theory and practice-based examination, and has passed the Minnesota-specific written operator examination ~~for cosmetologist, hair technician, nail technician, esthetician~~. If a test is used to verify the qualifications ~~of trained cosmetologists~~, the test ~~should~~ must be translated into the nonresident's native language within the limits of available resources. Licenses ~~shall~~ must not be issued under this subdivision for managers or instructors.

(b) If an individual has less than the required number of school hours, the individual must have had a current active license in another state or country for at least three years and have passed a board-approved theory and practice-based examination~~,~~ and the Minnesota-specific written operator examination ~~for cosmetologist, hair technician, nail technician, esthetician~~. If a test is used to verify the qualifications ~~of trained cosmetologists~~, the test ~~should~~ must be translated into the nonresident's native language within the limits of available resources. Licenses must not be issued under this subdivision for managers or instructors.

(c) Applicants claiming training and experience in a foreign country ~~shall~~ must supply official English-language translations of all required documents from a board-approved source.

Sec. 16. Minnesota Statutes 2024, section 155A.27, is amended by adding a subdivision to read:

Subd. 11. **Reciprocity for barbers.** A person who is a registered barber under chapter 154 may be granted credit up to 500 hours, as determined by a Minnesota-licensed cosmetology school, toward the required hours of study for a license in cosmetology or hair technology if the person:

(1) provides the cosmetology school with a verification of registration issued from the Minnesota Board of Barber Examiners verifying that the person has an active Minnesota barber registration; and

(2) holds an active Minnesota barber registration at the time that the person applies for a license in cosmetology or hair technology.

EFFECTIVE DATE. This section is effective January 1, 2027.

Sec. 17. Minnesota Statutes 2024, section 155A.271, subdivision 2, is amended to read:

Subd. 2. **Continuing education providers.** (a) Only a board-licensed school of cosmetology, a postsecondary institution as ~~defined~~ described in section 136A.103, subdivision 1, paragraph (a), or a board-recognized professional association organized under chapter 317A may be approved by the board to offer continuing education for credit under subdivision 1, paragraph (a). Continuing education under subdivision 1, paragraph (b), may be offered by a:

(1) board-licensed school of cosmetology;

(2) board-recognized professional association organized under chapter 317A; or

(3) board-licensed salon.

An approved school or professional association may offer web-based continuing education instruction to achieve maximum involvement of licensees. Continuing education providers are encouraged to offer classes available in foreign language formats.

(b) Board approval of any continuing education provider is valid for one calendar year and is contingent upon submission and preapproval of the lesson plan or plans with learning objectives for the class to be offered and the payment of the application fee in section 155A.25, subdivision 1a, paragraph (d), clause ~~(10)~~ (9). The board ~~shall~~ must maintain a list of approved providers and courses on the board's website. The board may revoke authorization of a continuing education provider at any time for just cause and the board may demand return of documents required under subdivision 3.

Sec. 18. Minnesota Statutes 2024, section 155A.29, subdivision 2, is amended to read:

Subd. 2. **Requirements.** The conditions and process by which a salon is licensed ~~shall~~ must be established by the board by rule. In addition to those requirements, ~~no~~ a license ~~shall~~ must not be issued unless the board first determines that the conditions in clauses (1) to (4) have been satisfied:

(1) compliance with all local and state laws, particularly relating to matters of infection control, health, and safety;

(2) the ~~employment~~ appointment of a manager, as defined in section 155A.23, subdivision 8;

(3) if applicable, evidence of compliance with workers' compensation section 176.182; and

(4) evidence of continued professional liability insurance coverage of at least $25,000 for each claim and $50,000 total coverage for each policy year for each ~~operator~~ practitioner.

Sec. 19. Minnesota Statutes 2024, section 155A.30, subdivision 3, is amended to read:

Subd. 3. **Applications.** Application for a license ~~shall~~ must be prepared on forms furnished by the board and ~~shall~~ must contain the following and such other information as may be required:

(1) the name of the school, together with ownership and controlling officers, members, and managing employees;

(2) the specific fields of instruction which will be offered and reconciliation of the course content and length to meet the minimum standards, as prescribed in subdivision 2;

(3) the place or places where instruction will be given;

(4) a listing of the equipment available for instruction in each course offered;

(5) the maximum enrollment to be accommodated;

(6) a listing of instructors, all of whom ~~shall~~ must be licensed as provided in section 155A.27, subdivision 2, except that any school may use occasional instructors or lecturers who would add to the general or specialized knowledge of the students but who need not be licensed;

(7) a current balance sheet, income statement or documentation to show sufficient financial worth and responsibility to properly conduct a school and to assure financial resources ample to meet the school's financial obligations;

(8) other financial guarantees ~~which~~ that would assure protection of the public as determined by rule; and

(9) a copy of all written ~~material which~~ materials that the school uses ~~to solicit prospective students, including but not limited to a tuition and fee schedule, and all catalogues, brochures and other recruitment advertisements. Each school shall annually, on a date determined by the board, file with the board any new or amended materials which it has distributed during the past year~~ for prospective student enrollment, including the enrollment contract, the student handbook, and tuition and fee information.

Sec. 20. Minnesota Statutes 2024, section 155A.30, subdivision 4, is amended to read:

Subd. 4. **Verification of application.** Each application ~~shall~~ must be signed and certified to under oath by ~~the proprietor if the applicant is a proprietorship, by the managing partner if the applicant is a partnership, or by the authorized officers of the applicant if the applicant is a corporation, association, company, firm, society or trust~~ a school administrator as defined in section 155A.23, subdivision 10a.

Sec. 21. Minnesota Statutes 2024, section 155A.30, subdivision 5, is amended to read:

Subd. 5. **Conditions precedent to issuance.** A license must not be issued unless the board first determines that the applicant has met the requirements in clauses (1) to (9):

(1) the applicant must have a sound financial condition with sufficient resources available to meet the school's financial obligations; to refund all tuition and other charges, within a reasonable period of time, in the event of dissolution of the school or in the event of any justifiable claims for refund against the school; to provide adequate service to its students and prospective students; and to maintain proper use and support of the school;

(2) the applicant must have satisfactory training facilities with sufficient tools and equipment and the necessary number of work stations to adequately train the students currently enrolled, and those proposed to be enrolled;

(3) the applicant must employ a sufficient number of qualified instructors trained by experience and education to give the training contemplated;

(4) the premises and conditions under which the students work and study must be sanitary, healthful, and safe according to modern standards;

(5) each occupational course or program of instruction or study must be of such quality and content as to provide education and training that will adequately prepare enrolled students for testing, licensing, and entry level positions;

(6) the school must have coverage by professional liability insurance of at least $25,000 per incident and an accumulation of $150,000 for each premium year;

(7) the applicant ~~shall~~ must provide evidence of the school's compliance with section 176.182;

(8) the applicant, except the state and its political subdivisions as described in section 13.02, subdivision 11, must file with the board a continuous corporate surety bond in the amount of no less than ten percent of the preceding year's gross income from student tuition, fees, and other required institutional charges, but in no event less than $10,000, conditioned upon the faithful performance of all contracts and agreements with students made by the applicant. New schools must base the bond amount on the anticipated gross income from student tuition, fees, and other required institutional charges for the third year of operation, but in no event less than $10,000. The applicant must compute the amount of the surety bond and verify that the amount of the surety bond complies with this subdivision. The bond ~~shall~~ must run to the board and to any person who may have a cause of action against the applicant arising at any time after the bond is filed and before it is canceled for breach of any contract or agreement made by the applicant with any student. The surety of the bond may cancel it upon giving 60 days' notice in writing to the board and ~~shall~~ must be relieved of liability for any breach of condition occurring after the effective date of cancellation; and

(9) the applicant must appoint a designated school manager.

Sec. 22. Minnesota Statutes 2024, section 155A.30, subdivision 6, is amended to read:

Subd. 6. **Fees; renewals.** (a) Applications for initial license under sections 155A.21 to 155A.36 ~~shall~~ must be accompanied by a nonrefundable application fee set forth in section 155A.25.

(b) License duration ~~shall~~ must be three years. Each renewal application ~~shall~~ must be accompanied by a nonrefundable renewal fee set forth in section 155A.25.

(c) Application for renewal of license ~~shall~~ must be made as provided in rules adopted by the board and on forms supplied by the board.

Sec. 23. Minnesota Statutes 2024, section 155A.30, subdivision 7, is amended to read:

Subd. 7. **Inspections.** All schools may be inspected as often as the board considers necessary to affirm compliance. The board ~~shall have~~ has the authority to assess the cost of the inspection to the school.

Sec. 24. Minnesota Statutes 2024, section 155A.30, subdivision 8, is amended to read:

Subd. 8. **List of licensed schools; availability.** The board ~~shall~~ must maintain and make available to the public a list of licensed schools.

Sec. 25. Minnesota Statutes 2024, section 155A.30, subdivision 9, is amended to read:

Subd. 9. **~~Separation of~~ School and ~~professional departments~~ salon separation.** A school ~~shall~~ must display in the entrance reception room of ~~its~~ the school's student section a sign prominently and conspicuously indicating that all work therein is ~~done~~ performed exclusively by students. ~~Professional departments of a school shall be run~~ Any salon or business on the same premises as a school must be operated as an entirely separate and distinct ~~businesses~~ business and ~~shall~~ must have a separate ~~entrances.~~ entrance from the school. If a salon or business is located on the same premises as a school: (1) staff of the salon or business must not provide services or training in the space used

by the school; and (2) staff and students of the school must not provide services or training in the space used by the salon or business.

Nothing contained in sections 155A.21 to 155A.36 ~~shall prevent~~ prevents a school from charging for student work done in the school to cover the cost of materials used and expenses incurred in and for the operation of the school. All of the student work ~~shall~~ must be prominently and conspicuously advertised and held forth as being student work and not otherwise.

Sec. 26. Minnesota Statutes 2024, section 155A.30, subdivision 11, is amended to read:

Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than ten hours per day per student.

(b) Instruction must be given within a licensed school building except as provided in paragraphs (c) and (d). ~~Online instruction is permitted for board-approved theory-based classes.~~

(c) A school may offer online instruction for theory-based portions of training. A school must not give practice-based ~~classes must not be given~~ training online.

(d) A school may offer activities related to the training for industry educational purposes outside of a school building when accompanied by an instructor for a maximum of one percent of the total training hours for a course.

Sec. 27. Minnesota Statutes 2024, section 155A.30, subdivision 12, is amended to read:

Subd. 12. **Minnesota state authorization.** A cosmetology school licensed or applying for licensure under this section ~~shall~~ must maintain recognition as an institution of postsecondary study by meeting the following conditions, in addition to Minnesota Rules, part 2110.0310:

(1) the school must admit as regular students only those individuals who have a high school diploma or a diploma based on passing commissioner of education-selected high school equivalency tests or their equivalent, or who are beyond the age of compulsory education as prescribed by section 120A.22; and

(2) the school must be licensed by name and authorized by the Office of Higher Education and the board to offer one or more training programs beyond the secondary level.

Sec. 28. Minnesota Statutes 2024, section 155A.31, is amended to read:

155A.31 INSPECTIONS.

The board is responsible for inspecting salons and schools licensed pursuant to sections 155A.21 to 155A.36 to assure compliance with the requirements of sections 155A.21 to 155A.36. The board ~~shall~~ must direct board resources first to the inspection of those licensees who fail to meet the requirements of law, have indicated that they present a greater risk to the public, or have otherwise, in the opinion of the board, demonstrated that they require a greater degree of regulatory attention.

Sec. 29. Minnesota Statutes 2024, section 155A.32, is amended to read:

155A.32 DISPLAY OF LICENSE.

Every holder of a license granted by the board ~~shall~~ must display ~~it~~ the license in a conspicuous place in the place of business.

Sec. 30. Minnesota Statutes 2024, section 155A.33, subdivision 1, is amended to read:

Subdivision 1. **Proceedings.** If the board, or a complaint committee if authorized by the board, has a reasonable basis for believing that a person has engaged in or is about to engage in a violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce, the board or complaint committee may proceed as provided in subdivision 2 or 3. Except as otherwise provided in this section, all hearings must be conducted in accordance with ~~the Administrative Procedure Act~~ chapter 14.

Sec. 31. Minnesota Statutes 2024, section 155A.33, subdivision 2, is amended to read:

Subd. 2. **Legal actions.** (a) When necessary to prevent an imminent violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce, the board, or a complaint committee if authorized by the board, may bring an action in the name of the state in the District Court of Ramsey County in which jurisdiction is proper to enjoin the act or practice and to enforce compliance with the statute, rule, or order. On a showing that a person has engaged in or is about to engage in an act or practice that constitutes a violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce, the court ~~shall~~ must grant a permanent or temporary injunction, restraining order, or other appropriate relief.

(b) For purposes of injunctive relief under this subdivision, irreparable harm exists when the board shows that a person has engaged in or is about to engage in an act or practice that constitutes violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce.

(c) Injunctive relief granted under paragraph (a) does not relieve an enjoined person from criminal prosecution by a competent authority, or from action by the board under subdivision 3, 4, 5, or 6 with respect to the person's license or registration, or application for examination, license, registration, or renewal.

Sec. 32. Minnesota Statutes 2024, section 155A.33, subdivision 3, is amended to read:

Subd. 3. **Cease and desist orders.** (a) The board, or complaint committee if authorized by the board, may issue and have served upon an unlicensed or unregistered person, or a holder of a license or registration, an order requiring the person to cease and desist from an act or practice that constitutes a violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce. The order must (1) give reasonable notice of the rights of the person named in the order to request a hearing, and (2) state the reasons for the entry of the order. No order may be issued under this subdivision until an investigation of the facts has been conducted under section 214.10.

(b) Service of the order under this subdivision is effective when the order is personally served on the person or counsel of record, or served by certified mail to the most recent address provided to the board for the person or counsel of record.

(c) The board must hold a hearing under this subdivision not later than 30 days after the board receives the request for the hearing, unless otherwise agreed between the board, or complaint committee if authorized by the board, and the person requesting the hearing.

(d) Notwithstanding any rule to the contrary, the administrative law judge must issue a report within 30 days of the close of the contested case hearing. Within 30 days after receiving the report and subsequent exceptions and argument, the board ~~shall~~ must issue a further order vacating, modifying, or making permanent the cease and desist order. If no hearing is requested within 30 days of service of the order, the order becomes final and remains in effect until modified or vacated by the board.

Sec. 33. Minnesota Statutes 2024, section 155A.33, subdivision 4, is amended to read:

Subd. 4. **Licensing and registration actions.** (a) With respect to a person who is a holder of or applicant for a license or registration under this chapter, the board may by order deny, refuse to renew, suspend, temporarily suspend, or revoke the application, license, or registration, censure or reprimand the person, refuse to permit the person to sit for examination, or refuse to release the person's examination grades, if the board finds that such an order is in the public interest and that, based on a preponderance of the evidence presented, the person has:

(1) violated a statute, rule, or order that the board has adopted or issued or is empowered to enforce;

(2) engaged in conduct or acts that are fraudulent, deceptive, or dishonest, related to the practice of a profession regulated by this chapter, if the fraudulent, deceptive, or dishonest conduct or acts reflect adversely on the person's ability or fitness to engage in the practice of the profession;

(3) engaged in conduct or acts that constitute malpractice, are negligent, demonstrate incompetence, or are otherwise in violation of the standards in the rules of the board, where the conduct or acts relate to the practice of a profession regulated by this chapter;

(4) employed fraud or deception in obtaining a license, registration, renewal, or reinstatement, or in passing all or a portion of the examination;

(5) had a license, registration, right to examine, or other similar authority revoked in another jurisdiction;

(6) failed to meet any requirement for issuance or renewal of the person's license or registration;

(7) advertised by means of false or deceptive statements;

(8) performed licensed services while consuming or under the influence of an intoxicant or controlled substance;

(9) demonstrated unprofessional conduct or practice;

(10) permitted an unlicensed person under the person's supervision or control to offer or practice services regulated by this chapter for compensation;

(11) practices, offered to practice, or attempted to practice by misrepresentation;

(12) failed to display a license or permit as required by rules adopted by the board;

(13) violated the board's rules governing infection control;

(14) refused to permit the board to make an inspection permitted or required by this chapter, or failed to provide the board or the attorney general on behalf of the board with any documents or records they request; or

(15) with respect to temporary suspension orders, has committed an act, engaged in conduct, or committed practices that the board, or complaint committee if authorized by the board, has determined may result or may have resulted in an immediate threat to the public.

(b) In lieu of or in addition to any remedy under paragraph (a), the board may, as a condition of continued licensure or registration, termination of suspension, reinstatement of licensure or registration, examination, or release of examination results, require that the person:

(1) submit to a quality review of the person's ability, skills, or quality of work, conducted in a manner and by a person or entity that the board determines; or

(2) completes to the board's satisfaction continuing education as the board requires.

~~(c) Service of an order under this subdivision is effective if the order is served in person, or is served by certified mail to the most recent address provided to the board by the licensee, registrant, applicant, or counsel of record. The order must state the reason for the entry of the order.~~

(c) The board or complaint committee, if authorized by the board, may issue an order under this subdivision. The order may include conditions under paragraph (b) and civil penalties and fees permitted under subdivision 6. The order may require a person to cease and desist from acting in violation of paragraph (a). The order must include:

(1) a summary of the facts that constitute each violation;

(2) the applicable law that has been violated;

(3) the licensing or registration action taken under paragraph (a); and

(4) a notice to the individual that unless the individual requests a hearing within 30 days of service of the order, the order becomes a final order of the board.

(d) If an order under this subdivision assesses civil penalties, the order must include a statement that, when the order becomes final, the board may file and enforce any unpaid amount of a penalty as a judgment in district court without further notice or additional proceedings.

(e) A person issued an order under this subdivision may request a hearing within 30 days of the date the order is served. If a person's written request for a hearing is not received within 30 days of the date of service of the order, the order becomes a final order and is not subject to review by any court or agency. If a person submits to the board a timely request for hearing, the order is stayed pending a final order. The request for a hearing under this paragraph must:

(1) be in writing;

(2) provide the reason for the person's request for a hearing; and

(3) be mailed or delivered to the board within 30 days of service of the order.

(f) An order under this subdivision must be personally served or sent by first-class or certified mail to the most recent address provided to the board by the licensee or applicant according to Minnesota Rules, part 1400.5550, subparts 2 and 3.

~~(d)~~ (g) Except as provided in subdivision 5, paragraph (c), all hearings under this subdivision must be conducted in accordance with ~~the Administrative Procedure Act~~ chapter 14.

(h) Nothing in this chapter prevents the board from resolving any violation through informal disposition under section 14.59.

Sec. 34. Minnesota Statutes 2024, section 155A.33, subdivision 5, is amended to read:

Subd. 5. **Temporary suspension.** (a) When the board, or complaint committee if authorized by the board, issues a temporary suspension order, the suspension provided for in the order is effective on service of a written copy of the order on the licensee, registrant, or counsel of record. The order must specify the statute, rule, or order violated by the licensee or registrant. The order remains in effect until the board issues a final order in the matter after a hearing, or on agreement between the board and the licensee or registrant.

(b) An order under this subdivision may (1) prohibit the licensee or registrant from engaging in the practice of a profession regulated by the board in whole or in part, as the facts require, and (2) condition the termination of the suspension on compliance with a statute, rule, or order that the board has adopted or issued or is empowered to enforce. The order must state the reasons for entering the order and must set forth the right to a hearing as provided in this subdivision.

(c) Within ten days after service of an order under this subdivision, the licensee or registrant may request a hearing in writing. The board must hold a hearing before its own members within five working days of the request for a hearing. The sole issue at the hearing must be whether there is a reasonable basis to continue, modify, or terminate the temporary suspension. The hearing is not subject to ~~the Administrative Procedure Act~~ chapter 14. Evidence presented to the board or the licensee or registrant may be in affidavit form only. The licensee, registrant, or counsel of record may appear for oral argument.

(d) Within five working days after the hearing, the board ~~shall~~ must issue its order and, if the order continues the suspension, ~~shall~~ must schedule a contested case hearing within 30 days of the issuance of the order. Notwithstanding any rule to the contrary, the administrative law judge ~~shall~~ must issue a report within 30 days after the closing of the contested case hearing record. The board ~~shall~~ must issue a final order within 30 days of receiving the report.

Sec. 35. Minnesota Statutes 2024, section 155A.33, subdivision 6, is amended to read:

Subd. 6. **Violations; penalties; costs.** (a) The board may impose a civil penalty of up to $2,000 per violation on a person who violates a statute, rule, or order that the board has adopted or issued or is empowered to enforce.

(b) In addition to any penalty under paragraph (a), the board may impose a fee to reimburse the board for all or part of the cost of (1) the proceedings resulting in disciplinary action authorized under this section, (2) the imposition of a civil penalty under paragraph (a), or (3) the issuance of a cease and desist order. The board may impose a fee under this paragraph when the board shows that

the position of the person who has violated a statute, rule, or order that the board has adopted or issued or is empowered to enforce is not substantially justified unless special circumstances make such a fee unjust, notwithstanding any rule to the contrary. Costs under this paragraph include, but are not limited to, the amount paid by the board for services from the ~~Office~~ Court of Administrative Hearings, attorney fees, court reporter costs, witness costs, reproduction of records, board members' compensation, board staff time, and expenses incurred by board members and staff.

(c) All hearings under this subdivision must be conducted in accordance with ~~the Administrative Procedure Act~~ chapter 14.

Sec. 36. Minnesota Statutes 2024, section 155A.33, is amended by adding a subdivision to read:

Subd. 8. **Corrective action.** (a) When the board or complaint committee, if authorized by the board, determines that a complaint alleging that an applicant or a licensee violated this chapter, rules adopted under this chapter, or an order issued by the board may be appropriately resolved through corrective action, the board or complaint committee may enter into an agreement for corrective action with an applicant or a licensee.

(b) An agreement for corrective action must:

(1) be in writing;

(2) describe the facts upon which the agreement is based;

(3) describe the corrective action agreed upon by the board or complaint committee and the applicant or licensee; and

(4) state that the complaint upon which the agreement was based must be dismissed by the board or complaint committee when the board or committee finds that the applicant or licensee has successfully performed the corrective action.

(c) The board or complaint committee may determine that the applicant or licensee has successfully performed the corrective action if the applicant or licensee submits a request for dismissal that documents the applicant's or licensee's successful performance of the corrective action.

(d) An agreement under this subdivision is not disciplinary action. An agreement under this section is public data under chapter 13.

(e) The board may assess a fee on an applicant or a licensee to reimburse the board for costs related to the corrective action. The board must include a fee under this paragraph in the corrective action agreement.

(f) If an applicant or a licensee fails to successfully perform the corrective action within the time specified in the agreement, the matter may be resolved through any enforcement action authorized under this section.

Sec. 37. **REVISOR INSTRUCTION.**

The revisor of statutes must change the term "Board of Cosmetologist Examiners" to "Board of Cosmetology" wherever the term appears in Minnesota Statutes.

Sec. 38. **REPEALER.**

(a) Minnesota Statutes 2024, section 155A.275, is repealed.

(b) Laws 2017, First Special Session chapter 4, article 1, section 29, is repealed."

Amend the title accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Marty from the Committee on Finance, to which was re-referred

H.F. No. 2433: A bill for an act relating to education finance; modifying provisions for prekindergarten through grade 12 education; providing funding for general education, education excellence, teachers, American Indian education, special education, facilities, school nutrition, libraries, early childhood education, community education and lifelong learning, state agencies, and the Read Act; making forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2024, sections 120B.118; 120B.119, subdivisions 2a, 4, 10, 15, by adding a subdivision; 120B.12, subdivisions 2, 3, 4, 4a, by adding a subdivision; 120B.123, subdivisions 1, 5, 7, by adding a subdivision; 120B.124, subdivisions 1, 5, 6, by adding a subdivision; 122A.091, subdivision 1; 122A.092, subdivision 5; 122A.185, subdivision 1; 122A.63, subdivision 9; 123A.485, subdivision 2; 123B.595, subdivisions 1, 4, 8, 10; 123B.71, subdivision 8; 123B.92, subdivision 1; 124D.111, subdivision 3; 124D.119, subdivision 1; 124D.42, subdivisions 8, 9; 124D.901; 124E.20, subdivision 1; 125A.76, subdivision 2a; 126C.10, subdivisions 1, 2e; 126C.13, subdivision 4; 126C.15, subdivision 2; 126C.17, subdivisions 7a, 7b; 126C.40, subdivision 1, by adding a subdivision; 126C.43, subdivision 2; 126C.45; 127A.47, subdivision 7; 268.085, subdivision 7, by adding subdivisions; Laws 2023, chapter 18, section 4, subdivisions 2, as amended, 3, as amended; Laws 2023, chapter 54, section 20, subdivisions 7, as amended, 9, as amended, 17, as amended; Laws 2023, chapter 55, article 1, section 36, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 9, as amended, 12; article 2, section 64, subdivisions 2, as amended, 6, as amended, 16, as amended, 21, as amended, 23, as amended, 34; article 3, section 11, subdivision 2; article 4, section 21, subdivisions 2, as amended, 5, as amended; article 5, section 64, subdivisions 3, as amended, 14, as amended; article 7, section 18, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended, 7, as amended; article 8, section 19, subdivision 6, as amended; article 9, section 18, subdivisions 4, as amended, 8, as amended; article 11, section 11, subdivisions 2, as amended, 3, as amended, 10, as amended; Laws 2024, chapter 109, article 4, section 19; Laws 2024, chapter 115, article 3, section 8, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 127A; repealing Minnesota Statutes 2024, section 124D.992.

Reports the same back with the recommendation that H.F. No. 2433, the first unofficial engrossment, be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2024, section 13.321, is amended by adding a subdivision to read:

Subd. 13. **Local anonymous threat reporting system.** Section 121A.0361, subdivision 5, governs data collected, created, or maintained through a local anonymous threat reporting system.

Sec. 2. Minnesota Statutes 2024, section 13.82, is amended by adding a subdivision to read:

Subd. 33. **Statewide anonymous threat reporting system.** Section 121A.0361, subdivision 5, governs data collected, created, or maintained through the Department of Public Safety's statewide anonymous threat reporting system.

Sec. 3. **[121A.0361] ANONYMOUS THREAT REPORTING SYSTEM.**

Subdivision 1. **Anonymous threat reporting system.** By June 30, 2027, the board of a school district or charter school must adopt a policy at a school board meeting to implement the use of an anonymous threat reporting system, and inform the commissioner of education which option listed in subdivision 4 the board selected. The district or charter school must implement either the local or the statewide anonymous threat reporting system by July 1, 2028.

Subd. 2. **Local anonymous threat reporting system.** (a) A local anonymous threat reporting system must:

(1) support anonymous reporting 24 hours a day using a mobile application, website, and toll-free hotline;

(2) be used to receive anonymous tips regarding dangerous, violent, threatening, harmful, or potentially harmful activity that occurs, or is threatened on, school property or relates to an enrolled student or school personnel;

(3) immediately forward reported information to designated school staff, the Bureau of Criminal Apprehension, and local law enforcement as soon as practicable; and

(4) comply with subdivision 5, data practices under chapter 13, and the Family Educational Rights and Privacy Act of 1974, United States Code, title 20, section 1232g.

(b) A school district or charter school that implements its own system may enter into a contract to develop and implement an anonymous threat reporting system that meets the requirements of this subdivision.

(c) A school district or charter school that establishes a local anonymous threat reporting system must:

(1) designate school staff to receive and respond to a report submitted through the anonymous threat reporting system;

(2) require training for school staff designated to receive and respond to a report submitted through the anonymous threat reporting system, including training on coordinating a response to reports with the Bureau of Criminal Apprehension and local law enforcement;

(3) promote public awareness and education about the anonymous threat reporting system by providing, to students, families, employees, and the school community, information about the anonymous threat reporting system and how to use it, including by:

(i) posting on the district's or charter school's website information about the local anonymous threat reporting system;

(ii) including information in the student handbook about the local anonymous threat reporting system; and

(iii) notifying parents annually of the availability of the local anonymous threat reporting system; and

(4) report to the commissioner of education, in the form and manner determined by the commissioner, the type of system adopted.

(d) A school district or charter school that implemented a local anonymous threat reporting system before July 1, 2026, may continue to use the system even if the system does not meet the requirements of this section, as long as the system immediately forwards reported information to designated school staff, the Bureau of Criminal Apprehension, and local law enforcement.

(e) Information about a district or charter school's local anonymous threat reporting system is "security information" as defined in section 13.37, subdivision 1, including information reported to the Department of Education under this section.

Subd. 3. **Statewide anonymous threat reporting system.** (a) A school district or charter school that does not implement its own local anonymous threat reporting system in accordance with subdivision 2 must provide, to students, families, employees, and the school community, information about the Department of Public Safety's statewide anonymous threat reporting system and how to use the system. A district or charter school must, at a minimum:

(1) post on the district's or charter school's website information about the Department of Public Safety's statewide anonymous threat reporting system;

(2) include information in the student handbook about the Department of Public Safety's statewide anonymous threat reporting system; and

(3) notify parents annually of the availability of the Department of Public Safety's statewide anonymous threat reporting system.

(b) A school district or charter school that uses and promotes the statewide system must report to the commissioner, in the form and manner determined by the commissioner, that it has complied with this subdivision.

Subd. 4. **Department of Education.** By January 15, 2028, and each year thereafter, the commissioner of education must submit a report to the legislative committees with jurisdiction over kindergarten through grade 12 education and public safety that lists the districts and charter schools that have:

(1) implemented a local anonymous threat reporting system;

(2) used and promoted the statewide system; and

(3) neither implemented a local anonymous threat reporting system nor used and promoted the statewide system.

Subd. 5. **Data practices.** (a) The definitions in section 13.02 apply to this subdivision. For purposes of this subdivision, the following additional terms have the meanings given:

(1) "anonymous threat reporting system data" means all data created, collected, received, or maintained by either a local anonymous threat reporting system or the Department of Public Safety's statewide anonymous threat reporting system. Anonymous threat reporting system data also includes data created by a school district or charter school, the Department of Education, a law enforcement agency, or noncriminal justice partners in response to a tip or report received by either a local anonymous threat reporting system or the Department of Public Safety's statewide anonymous threat reporting system;

(2) "law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f); and

(3) "noncriminal justice partners" means the multidisciplinary team of professionals utilized by a law enforcement agency, that may include, but is not limited to, school administrators, behavioral health and social services providers, community partners, faith leaders, medical personnel, public safety professionals, or other partners.

(b) Anonymous threat reporting system data are classified as confidential data on individuals or protected nonpublic data while the anonymous threat report is active. Active anonymous threat reporting system data may be shared between or among a school district or charter school, the Department of Public Safety, the Department of Education, law enforcement agencies, and noncriminal justice partners. Inactive anonymous threat reporting system data from a local anonymous threat reporting system are governed by section 13.32. Inactive anonymous threat reporting system data from the Department of Public Safety's statewide anonymous threat reporting system are governed by section 13.82, subdivision 7.

(c) Anonymous threat reporting system data are active upon creation, collection, or receipt, but shall become inactive:

(1) when the school district or charter school, the Department of Education, or a law enforcement agency has determined that the data is no longer connected to a potential risk or threat; or

(2) two years following the last associated report of potential risk or threat made to either the local anonymous threat reporting system or the Department of Public Safety's statewide anonymous threat reporting system.

(d) Nothing in this subdivision restricts the application of section 13.37 or 13.82, subdivision 25, to inactive anonymous threat reporting system data.

EFFECTIVE DATE. This section is effective July 1, 2026.

Sec. 4. Minnesota Statutes 2025 Supplement, section 126C.10, subdivision 3, is amended to read:

Subd. 3. **Compensatory education revenue.** (a) A district's compensatory revenue equals the sum of its compensatory revenue for each building in the district and the amounts designated under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(b) For fiscal years 2024, 2025, and 2026, the compensatory education revenue for each building in the district equals the formula allowance minus $839 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3.

(c) For fiscal year 2027 and later, the compensatory education revenue for each building in the district equals its compensatory pupils multiplied by the building compensatory allowance.

(d) When the district contracting with an alternative program under section 124D.69 changes prior to the start of a school year, the compensatory revenue generated by pupils attending the program shall be paid to the district contracting with the alternative program for the current school year, and shall not be paid to the district contracting with the alternative program for the prior school year.

(e) When the fiscal agent district for an area learning center changes prior to the start of a school year, the compensatory revenue shall be paid to the fiscal agent district for the current school year, and shall not be paid to the fiscal agent district for the prior school year.

(f) Notwithstanding paragraph ~~(c)~~ (b), for fiscal year 2026, if the sum of the amounts calculated under paragraph ~~(c)~~ (b) is less than $838,947,000, the commissioner must proportionately increase the revenue to each building until the total statewide revenue calculated for each building equals $838,947,000.

(g) Notwithstanding paragraph (c), for fiscal year 2027 and later, if the sum of the amounts calculated under paragraph (c) is less than $857,152,000, the commissioner must proportionately increase the revenue to each building until the total statewide revenue calculated for each building equals $857,152,000.

(h) Notwithstanding paragraph (c), for fiscal year 2027 only, the compensatory education revenue for each building equals the greater of:

(1) the amount calculated for the building under paragraphs (c) and (g); or

(2) the building minimum amount calculated under paragraph (i).

(i) For purposes of paragraph (h), the building minimum amount equals the product of:

(1) the compensatory education revenue for the building for fiscal year 2026;

(2) the lesser of one or the ratio of the number of pupils enrolled in the building on October 1, 2025, to the number of pupils enrolled in the building on October 1, 2024; and

(3) 0.659771.

Sec. 5. Minnesota Statutes 2025 Supplement, section 126C.15, subdivision 2, is amended to read:

Subd. 2. **Building allocation.** (a) A district or cooperative must allocate at least 80 percent of its compensatory revenue to each school building in the district or cooperative where the children who have generated the revenue are served unless the school district or cooperative has received permission under Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory revenue according to student performance measures developed by the school board.

(b) A district or cooperative may allocate no more than 20 percent of the amount of compensatory revenue that the district receives to school sites according to a plan adopted by the school board. The money reallocated under this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on students in any grade, including students attending school readiness or other prekindergarten programs.

(c) For the purposes of this section and section 126C.05, subdivision 3, "building" means education site as defined in section 123B.04, subdivision 1.

(d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue generated by students served at a cooperative unit shall be paid to the cooperative unit.

(e) A district or cooperative with school building openings, school building closings, changes in attendance area boundaries, or other changes in programs or student demographics between the prior year and the current year may reallocate compensatory revenue among sites to reflect these changes. A district or cooperative must report to the department any adjustments it makes according to this paragraph and the department must use the adjusted compensatory revenue allocations in preparing the report required under section 123B.76, subdivision 3, paragraph (c).

(f) For fiscal years 2026 ~~and~~, 2027, and 2028 only, notwithstanding the percentages specified in paragraphs (a) and (b), a district may allocate up to 40 percent of the amount of compensatory revenue that the district receives to school sites according to a plan adopted by the school board, consistent with the purposes listed in subdivision 1.

Sec. 6. Laws 2025, First Special Session chapter 10, article 1, section 28, subdivision 2, is amended to read:

Subd. 2. **General education aid.** (a) For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

	~~8,509,608,000~~		
$	8,550,641,000	.....	2026
	~~8,765,730,000~~		
$	8,783,520,000	.....	2027

(b) The 2026 appropriation includes $783,251,000 for 2025 and ~~$7,726,357,000~~ $7,767,390,000 for 2026.

(c) The 2027 appropriation includes ~~$807,134,000~~ $802,177,000 for 2026 and ~~$7,958,596,000~~ $7,981,343,000 for 2027.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 7. **SUPERSEDING EFFECT.**

The amendments made to Laws 2025, First Special Session chapter 10, article 1, section 28, subdivision 2, in this act supersede and prevail over any other amendment made to Laws 2025, First Special Session chapter 10, article 1, section 28, subdivision 2, during the 2026 Regular Session, regardless of order of enactment.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 8. **APPROPRIATIONS; ANONYMOUS THREAT REPORTING SYSTEMS.**

Subdivision 1. **Grants.** (a) $4,000,000 in fiscal year 2027 is appropriated from the general fund to the Department of Public Safety, Division of Homeland Security and Emergency Management, for grants to schools for the development, purchase, implementation, operation, and maintenance of anonymous threat reporting systems.

(b) A school district, charter school, cooperative unit under Minnesota Statutes, section 123A.24 that serves students, Tribal contract school, or nonpublic school may apply for a grant in the form and manner specified by the Division of Homeland Security and Emergency Management. A school district must submit a single application identifying all school sites for which it seeks funding. An applicant must apply for a grant in the form and manner specified by the Division of Homeland Security and Emergency Management. The Division of Homeland Security and Emergency Management may establish grant application timelines and may award grants in more than one round. Grants may be awarded in an amount not to exceed $10,000 per school district or cooperative unit, and $2,500 per charter school, Tribal contract school, or nonpublic school. Grants must be awarded to schools located in all geographic regions of the state.

(c) Grant funds may be used to fund expenses associated with the development, purchase, implementation, operation, and maintenance of an anonymous threat reporting system, including staff compensation. Grant funds may also be used to compensate staff who are responsible for responding to threats received through the system.

(d) By February 15 following each year a grant is awarded under this section, the Minnesota School Safety Center, Division of Homeland Security and Emergency Management, and Department of Public Safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education and public safety on how grant money was awarded and distributed. The report must identify the grant recipients and how the grant money was used by each recipient.

(e) This is a onetime appropriation. This appropriation is available until June 30, 2029.

Subd. 2. **Statewide threat assessment and investigations.** $1,000,000 in fiscal year 2027 is appropriated from the general fund to the Department of Public Safety, Bureau of Criminal Apprehension, for staffing and operating costs related to threat assessment and investigations. This is a onetime appropriation and is available until June 30, 2029."

Delete the title and insert:

"A bill for an act relating to education finance; modifying the calculation of compensatory aid for fiscal year 2027; modifying the allocation of compensatory aid for fiscal year 2028; requiring anonymous threat reporting systems; providing anonymous threat reporting system grants to schools; requiring reports; appropriating money; amending Minnesota Statutes 2024, sections 13.321, by adding a subdivision; 13.82, by adding a subdivision; Minnesota Statutes 2025 Supplement, sections 126C.10, subdivision 3; 126C.15, subdivision 2; Laws 2025, First Special Session chapter 10, article 1, section 28, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A."

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 390 and 2827 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 3825, 4591, and 2433 were read the second time.

ADJOURNMENT

Senator Maye Quade moved that the Senate do now adjourn until 10:00 a.m., Saturday, May 16, 2026. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate