

registration file, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of his right to vote, and thereupon the judge shall hand to the voter the ballot. The judges shall destroy the voters' receipts at the end of the day.

**Sec. 4. TEMPORARY RULES.**

The secretary of state shall have authority to promulgate temporary rules pursuant to chapter 15 to carry out the purposes of section 2.

**Sec. 5. EFFECTIVE DATE.**

This act is effective the day after final enactment.

Approved May 4, 1981

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**CHAPTER 93 — S.F.No. 741**

*An act relating to the town of Woodville; permitting payment of the cemetery directors; repealing Laws 1959, Chapter 149.*

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

**Section 1. COMPENSATION.**

The directors of Woodville cemetery in Waseca County may be compensated on an annual basis in an amount as may be determined by the board of supervisors of the town of Woodville.

**Sec. 2. REPEALER.**

Laws 1959, Chapter 149 is repealed.

**Sec. 3. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 4, 1981

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**CHAPTER 94 — S.F.No. 760**

*An act relating to occupational and professional licensing; removing the consecutive term restriction from the board of nursing; requiring distribution of licensure requirements to secondary school counselors; removing delinquent and non-practicing statutes; providing for nursing permits; repealing outdated statutes; providing for advanced standing for licensed practical nurses; amending Minnesota Statutes 1980, Sections 148.181, Subdivision 2; 148.211, Subdivision 1; 148.231, Subdivisions 1, 4, 5, and 6; 148.251, by adding a subdivision; 148.271; 148.291, Subdivision 1; 148.294 and 148.295; repealing Minnesota Statutes 1980, Section 148.231, Subdivision 2.*

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1980, Section 148.181, Subdivision 2, is amended to read:

Subd. 2. On expiration of the term of a member who is a registered nurse, the governor may appoint a registered nurse from a list of members submitted by professional nursing groups. Likewise on expiration of the term of a member who is a licensed practical nurse, the governor may appoint a licensed practical nurse from a list of members submitted by licensed practical nursing groups. ~~Such~~ These lists should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the member is a registered nurse or a licensed practical nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by nursing groups in the manner aforesaid. ~~No board member shall be appointed to consecutive terms.~~ Members shall hold office until a successor is appointed and qualified.

Sec. 2. Minnesota Statutes 1980, Section 148.211, Subdivision 1, is amended to read:

Subdivision 1. An applicant for a license to practice as a registered nurse shall apply to the board for license by examination on forms prescribed by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Before being scheduled for examination the applicant shall provide written evidence verified by oath that he (a) is of good moral character, (b) is in good mental health, (c) meets secondary education requirements as determined by the board and other preliminary qualification requirements the board may prescribe by rule, and (d) either has completed a course of study in a professional nursing program approved by the board or is enrolled in the final term of study in such program. The board shall annually publish and distribute to secondary school counselors the requirements for licensure for practice in Minnesota.

The applicant shall be required to pass a written examination in the subjects the board may determine. Each written examination may be supplemented by an oral or practical examination. An applicant failing to pass any portion of the examination shall be deemed to have failed the examination and may apply for re-examination in the subjects or sections failed.

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the

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examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to the applicant.

Sec. 3. Minnesota Statutes 1980, Section 148.231, Subdivision 1, is amended to read:

Subdivision 1. **REGISTRATION.** ~~Except for a person whose name is on the non-practicing list as provided in this section,~~ Every person licensed to practice professional nursing must also maintain with the board, a current registration for practice as a registered nurse which must be renewed at regular intervals stipulated by the board by rule. Upon adoption by the board of rules ~~and regulations~~ establishing procedures and minimum requirements for successful completion of specified continuing education as hereinafter provided, no certificate of registration shall be issued by the board to a nurse until he or she has submitted satisfactory evidence of compliance with the procedures and minimum requirements established by the board.

The fee for periodic registration for practice as a registered nurse shall be determined by the board by rule. A penalty fee shall be added for any application received after the ~~expiration~~ required date as specified by the board by rule. Upon receipt of the application and the required fees, the board shall verify the application and the evidence of completion of continuing education requirements in effect, and thereupon issue to ~~such~~ the applicant a certificate of registration for the next renewal period.

Sec. 4. Minnesota Statutes 1980, Section 148.231, Subdivision 4, is amended to read:

Subd. 4. **FAILURE TO REGISTER.** Any person licensed under the provisions of sections 148.171 to 148.285 who fails to re-register within the period hereinbefore provided, ~~shall be deemed delinquent and shall not be entitled to practice nursing in this state as a registered nurse, until an application for renewal registration has been filed with the board accompanied by satisfactory evidence of compliance with the procedures and minimum requirements currently established by the board for continuing education and by a registration fee for each calendar year during which said applicant has failed to register, up to a maximum stipulated by the board by rule, and a certificate of re-registration issued to such person.~~

Sec. 5. Minnesota Statutes 1980, Section 148.231, Subdivision 5, is amended to read:

Subd. 5. **NON-PRACTICING LIST; RE-REGISTRATION.** A person licensed under the provisions of sections 148.171 to 148.285 who desires to retire from practice temporarily, shall send a written notice to the board. Upon the receipt of such notice, the board shall place the name of such person on the non-practicing list. While so remaining on this list, the person shall not be subject to the payment of any fees, and shall not practice nursing in this

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state. When ~~such~~ a person desires to resume practice he or she shall make application for re-registration, and submit satisfactory evidence of compliance with the procedures and minimum requirements established by the board for continuing education, and pay the registration fee for the current period to the board. Thereupon, the registration certificate shall be issued to such applicant, and such person shall immediately be placed on the practicing list as a registered nurse.

Sec. 6. Minnesota Statutes 1980, Section 148.231, Subdivision 6, is amended to read:

Subd. 6. **FEE FOR LICENSE VERIFICATION.** A person licensed under the provisions of sections 148.171 to 148.285 who requests the board to verify ~~such~~ a Minnesota license to another jurisdiction or to an agency, facility, school or institution shall pay a fee to the board for each verification.

Sec. 7. Minnesota Statutes 1980, Section 148.251, is amended by adding a subdivision to read:

Subd. 4. Associate degree nursing programs approved or seeking to be approved by the board shall provide for advanced standing for licensed practical nurses in recognition of their nursing education and experience. The board shall adopt rules by July 1, 1982 to implement this section.

Sec. 8. Minnesota Statutes 1980, Section 148.271, is amended to read:

**148.271 ALLOWABLE UNLICENSED PRACTICES.**

The provisions of sections 148.171 to 148.285 shall not prohibit:

(1) The furnishing of nursing assistance in an emergency.

(2) The practice of nursing by any legally qualified nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties.

(3) Under the direct supervision of a registered nurse, the practice of nursing by a graduate of a school of professional nursing approved by the board between the date of graduation and the date of notification to ~~such~~ the graduate of the board action upon his or her application for licensure hereunder, provided that ~~such~~ the graduate will take the first examination for licensure hereunder following graduation given by the board and will be issued a permit by the board to engage in supervised practice of professional nursing while awaiting notification of the results of such examination. The board is authorized to issue permits to such graduates which shall permit the practice of professional nursing under direct supervision from the date of graduation until the date that the board shall notify ~~such~~ the graduates of the results of their applications for registration conditioned upon ~~such~~ the graduates making prompt application for registration and taking the first examination given by

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the board which they are eligible to take following graduation. ~~Such~~ These permits shall not be renewable.

(4) The practice of any profession or occupation licensed by the state, other than professional nursing, by any person duly licensed to practice ~~such~~ the profession or occupation, or the performance by ~~such~~ a person of any acts properly coming within the scope of ~~such~~ a the profession, occupation or license.

(5) The performance of any act in the nursing care of the sick by a nurse's aide under the direction of a registered nurse.

(6) The practice of nursing by a person licensed as a professional nurse in another jurisdiction and qualified for licensure in the state of Minnesota pursuant to a temporary permit issued by the board of nursing which permit ~~shall be issued by the board pursuant to such rules and regulations as it may promulgate~~, for the period between the submission of a proper application for licensure by ~~such~~ the person and the date of action upon ~~such~~ the application by the board.

(7) The care of the sick, injured or infirm in a private home by any person who does not assume or represent to be a registered or professional nurse.

(8) Care of the sick with or without compensation when done in a nursing home covered by the provisions of section 144A.09, subdivision 1.

(9) The practice of nursing by a graduate of an approved professional nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct supervision of a licensed professional nurse. The permit shall not be renewable.

Sec. 9. Minnesota Statutes 1980, Section 148.291, Subdivision 1, is amended to read:

Subdivision 1. **QUALIFICATIONS.** An applicant for a license to practice nursing as a licensed practical nurse shall apply to the board for examination on forms provided by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Before being scheduled for examination the applicant shall provide written evidence, verified by oath that he (a) is of good moral character, (b) is in good mental health, (c) meets secondary education requirements as determined by the board and any other preliminary qualification requirements the board may prescribe by rule, and (d) either has completed an approved course for the training of licensed practical nurses or is enrolled in the final term of study in such program. The board shall annually publish and distribute to secondary counselors the requirements for licensure for practice in Minnesota.

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to such applicant.

Sec. 10. Minnesota Statutes 1980, Section 148.294, is amended to read:

**148.294 REGISTRATION; FEE FOR LICENSE VERIFICATION.**

Subdivision 1. **ANNUAL CURRENT REGISTRATION.** ~~Every licensed practical nurse shall register annually with the board for each calendar year and pay a fee on or before December 31 of the immediately preceding year; thereupon, the board shall issue a certificate of renewal registration. A penalty fee shall be added for renewal registration applications postmarked after December 31 of the immediately preceding year. Every person licensed to practice practical nursing must also maintain with the board a current registration for practice as a licensed practical nurse which must be renewed at regular intervals stipulated by the board by rule.~~

The fee for periodic registration for practice as a licensed practical nurse shall be determined by the board by rule. A penalty fee shall be added for any application received after the required date as specified by the board by rule. Upon receipt of the application and the required fees, the board shall verify the application and thereupon issue to the applicant a certificate of registration for the next renewal period.

Subd. 2. **FAILURE TO RE-REGISTER.** ~~A Any person licensed under the provisions of section sections 148.291 to 148.299 who fails to re-register within the period hereinbefore provided shall be deemed delinquent and shall not be entitled to practice nursing in this state as a licensed practical nurse; until an application for renewal registration has been filed with the board accompanied by a registration fee for each calendar year during which said applicant has been delinquent, up to a maximum stipulated by the board by rule, and a certificate of re-registration issued to such person.~~

Changes or additions are indicated by underline, deletions by strikeout.

Subd. 3. **NOTICE OF TEMPORARY RETIREMENT RE-REGISTRATION.** A person licensed under the provisions of section ~~148.291~~ who desires to retire from practice temporarily, shall send a written notice to the board. Upon the receipt of such notice the board shall place the name of such person on the non-practicing list. While so remaining on this list, the person shall not be subject to the payment of any fees, and shall not practice nursing in this state. When such a person desires to resume practice he or she shall make application for re-registration and pay the annual registration fee for the current year period to the board, and the registration certificate shall be issued to such the applicant, and such the person shall immediately be placed on the practicing list as a licensed practical nurse.

Subd. 4. **FEE FOR LICENSE VERIFICATION.** A person licensed under the provisions of sections 148.29 to ~~148.297~~ 148.299 who requests the board to verify such a Minnesota license to another jurisdiction or to an agency, facility, school or institution shall pay a fee of \$5 to the board for each verification.

Sec. 11. Minnesota Statutes 1980, Section 148.295, is amended to read:  
148.295 ALLOWABLE UNLICENSED PRACTICES.

The provisions of sections 148.29 to 148.297 shall not prohibit:

(1) The practice of practical nursing by any legally qualified licensed practical nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties;

(2) Under the direct supervision of a registered nurse, the practice of practical nursing by a graduate of a school of practical nursing approved by the board between the date of graduation and the date of notification to the graduate of the board action upon his or her application for licensure hereunder, provided that the graduate will take the first licensure examination following graduation and will be issued a permit by the board to engage in supervised practice. The permits shall not be renewable;

(3) The practice of practical nursing by a graduate of an approved practical nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct

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supervision of a licensed professional nurse. The permit shall not be renewable; or

(4) The practice of practical nursing by a person licensed as a licensed practical nurse in another jurisdiction and qualified for licensure in the state of Minnesota. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued by the board pursuant to rules as the board may promulgate, and which shall be valid only for the period between the submission of a proper application for licensure by the person and the date of action upon the application by the board.

Sec. 12. **REPEALER.**

Minnesota Statutes 1980, Section 148.231, Subdivision 2, is repealed.

Sec. 13. **EFFECTIVE DATE.**

This act is effective the day following its final enactment.

Approved May 4, 1981

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**CHAPTER 95 — H.F.No. 29**

*An act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.*

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

Section 1. Minnesota Statutes 1980, Section 144.50, Subdivision 1, is amended to read:

Subdivision 1. No person, partnership, association, or corporation, nor any state, county, or local governmental units, nor any division, department, board, or agency thereof, shall establish, operate, conduct, or maintain in the state any hospital, sanatorium or other institution for the hospitalization or care of human beings without first obtaining a license therefor in the manner provided by law in sections 144.50 to 144.56.

Sec. 2. Minnesota Statutes 1980, Section 144.55, is amended to read:

**144.55 LICENSES; ISSUANCE, SUSPENSION AND REVOCATION BY STATE COMMISSIONER OF HEALTH.**

Subdivision 1. **ISSUANCE.** The state commissioner of health is hereby authorized to issue licenses to operate hospitals, sanatoriums or other

Changes or additions are indicated by underline, deletions by ~~strikeout~~.