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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **3172**

03/01/2018 Authored by Zerwas and Poston
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/12/2018 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; requiring notice to home care provider of person's status
1.3 as registered predatory offender; amending Minnesota Statutes 2016, section
1.4 243.166, subdivision 4b.

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

1.6 Section 1. Minnesota Statutes 2016, section 243.166, subdivision 4b, is amended to read:

1.7 Subd. 4b. **Health care facility; notice of status.** (a) For the purposes of this subdivision,
1.8 "health care facility" means a facility:

1.9 (1) licensed by the commissioner of health as a hospital, boarding care home or supervised
1.10 living facility under sections 144.50 to 144.58, or a nursing home under chapter 144A;

1.11 (2) registered by the commissioner of health as a housing with services establishment
1.12 as defined in section 144D.01; ~~or~~

1.13 (3) licensed by the commissioner of health as a home care provider as defined in section
1.14 144A.43; or

1.15 ~~(3)~~ (4) licensed by the commissioner of human services as a residential facility under
1.16 chapter 245A to provide adult foster care, adult mental health treatment, chemical dependency
1.17 treatment to adults, or residential services to persons with disabilities.

1.18 (b) Prior to admission to a health care facility, a person required to register under this
1.19 section shall disclose to:

1.20 (1) the health care facility employee processing the admission the person's status as a
1.21 registered predatory offender under this section; and

2.1 (2) the person's corrections agent, or if the person does not have an assigned corrections
2.2 agent, the law enforcement authority with whom the person is currently required to register,
2.3 that inpatient admission or other admission will occur.

2.4 (c) A law enforcement authority or corrections agent who receives notice under paragraph
2.5 (b) or who knows that a person required to register under this section is planning to be
2.6 admitted and receive, or has been admitted and is receiving health care at a health care
2.7 facility shall notify the administrator of the facility and deliver a fact sheet to the
2.8 administrator containing the following information: (1) name and physical description of
2.9 the offender; (2) the offender's conviction history, including the dates of conviction; (3) the
2.10 risk level classification assigned to the offender under section 244.052, if any; and (4) the
2.11 profile of likely victims.

2.12 (d) Except for a hospital licensed under sections 144.50 to 144.58 or a home care provider
2.13 as defined in section 144A.43, if a health care facility receives a fact sheet under paragraph
2.14 (c) that includes a risk level classification for the offender, and if the facility admits the
2.15 offender, the facility shall distribute the fact sheet to all residents at the facility. If the facility
2.16 determines that distribution to a resident is not appropriate given the resident's medical,
2.17 emotional, or mental status, the facility shall distribute the fact sheet to the patient's next of
2.18 kin or emergency contact.