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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 719

1.1 A bill for an act

1.2 relating to health occupations; prohibiting unlicensed complementary and alternative

1.3 health care practitioners from using hypnosis or hypnotherapy; requiring

1.4 background studies for registered naturopathic doctors; establishing fee; amending

1.5 Minnesota Statutes 2022, sections 146A.01, subdivision 4; 147E.40, subdivision

1.6 1; 214.075, subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2022, section 146A.01, subdivision 4, is amended to read:

1.9 Subd. 4. **Complementary and alternative health care practices.** (a) "Complementary

1.10 and alternative health care practices" means the broad domain of complementary and

1.11 alternative healing methods and treatments, including but not limited to: (1) acupuncture;

1.12 (2) anthroposophy; (3) aroma therapy; (4) ayurveda; (5) cranial sacral therapy; (6) culturally

1.13 traditional healing practices; (7) detoxification practices and therapies; (8) energetic healing;

1.14 (9) polarity therapy; (10) folk practices; (11) healing practices utilizing food, food

1.15 supplements, nutrients, and the physical forces of heat, cold, water, touch, and light; (12)

1.16 Gerson therapy and colostrum therapy; (13) healing touch; (14) herbology or herbalism;

1.17 (15) homeopathy; (16) nondiagnostic iridology; (17) body work, massage, and massage

1.18 therapy; (18) meditation; (19) mind-body healing practices; (20) naturopathy; (21)

1.19 noninvasive instrumentalities; and (22) traditional Oriental practices, such as Qi Gong

1.20 energy healing.

1.21 (b) Complementary and alternative health care practices do not include surgery, x-ray

1.22 radiation, administering or dispensing legend drugs and controlled substances, practices

1.23 that invade the human body by puncture of the skin, setting fractures, the use of medical

1.24 devices as defined in section 147A.01, any practice included in the practice of dentistry as

2.1 defined in section 150A.05, subdivision 1, or the manipulation or adjustment of articulations
 2.2 of joints or the spine as described in section 146.23 or 148.01.

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

2.5 (d) Complementary and alternative health care practices do not include hypnosis,
 2.6 hypnotherapy, or any other treatment method involving induced altered consciousness for
 2.7 therapeutic purposes.

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

2.14 Sec. 2. Minnesota Statutes 2022, section 147E.40, subdivision 1, is amended to read:

2.15 Subdivision 1. **Fees.** (a) Fees are as follows:

2.16 (1) registration application fee, \$200;

2.17 (2) renewal fee, \$150;

2.18 (3) late fee, \$75;

2.19 (4) inactive status fee, \$50;

2.20 (5) temporary permit fee, \$25;

2.21 (6) naturopathic doctor certification fee, \$25;

2.22 (7) naturopathic doctor duplicate license fee, \$20;

2.23 (8) naturopathic doctor emeritus registration fee, \$50;

2.24 (9) naturopathic doctor certification fee, \$25;

2.25 (10) duplicate license or registration fee, \$20;

2.26 (11) certification letter fee, \$25;

2.27 (12) verification fee, \$25;

2.28 (13) education or training program approval fee, \$100; ~~and~~

3.1 (14) report creation and generation fee, \$60 per hour billed in quarter-hour increments
3.2 with a quarter-hour minimum; and

3.3 (15) criminal background check fee, \$33.25.

3.4 (b) The revenue generated from the fees must be deposited in an account in the state
3.5 government special revenue fund.

3.6 Sec. 3. Minnesota Statutes 2022, section 214.075, subdivision 1, is amended to read:

3.7 Subdivision 1. **Applications.** (a) Each health-related licensing board, as defined in
3.8 section 214.01, subdivision 2, shall require the following individuals to submit to a criminal
3.9 history records check of state data completed by the Bureau of Criminal Apprehension
3.10 (BCA) and a national criminal history records check, including a search of the records of
3.11 the Federal Bureau of Investigation (FBI):

3.12 (1) applicants for initial licensure or licensure by endorsement. An applicant is exempt
3.13 from this paragraph if the applicant submitted to a state and national criminal history records
3.14 check as described in this paragraph for a license issued by the same board;

3.15 (2) applicants seeking reinstatement or relicensure, as defined by the individual
3.16 health-related licensing board, if more than one year has elapsed since the applicant's license
3.17 or registration expiration date; ~~or~~

3.18 (3) licensees applying for eligibility to participate in an interstate licensure compact; ~~;~~
3.19 or

3.20 (4) applicants for naturopathic doctor registration, registration by endorsement, or
3.21 reregistration following lapse of registration status if more than one year has elapsed since
3.22 the applicant's registration expiration date.

3.23 (b) An applicant's criminal background check results are valid for one year from the
3.24 date the background check results were received by the board. If more than one year has
3.25 elapsed since the results were received by the board, then an applicant who has not completed
3.26 the licensure, reinstatement, or relicensure process must complete a new background check.