

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 4535**

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Introduction and first reading  
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to human services; establishing additional continuing education  
1.3 requirements for certain physicians, nurses, psychologists, and special education  
1.4 teachers; establishing additional training requirements for certain direct care staff;  
1.5 establishing a onetime grant for development and distribution of a training  
1.6 curriculum related to medical conditions affecting persons with autism spectrum  
1.7 disorders; appropriating money; amending Minnesota Statutes 2018, sections  
1.8 122A.187, by adding a subdivision; 214.12, by adding a subdivision; 245D.09,  
1.9 subdivision 4a.

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

1.11 Section 1. Minnesota Statutes 2018, section 122A.187, is amended by adding a subdivision  
1.12 to read:

1.13 Subd. 7. Medical conditions affecting persons diagnosed with an autism spectrum  
1.14 disorder. The Professional Educator Licensing and Standards Board must adopt rules that  
1.15 require all licensed teachers who are renewing a teacher of special education: autism spectrum  
1.16 disorders license to include in the renewal requirements evidence that demonstrates the  
1.17 teacher has received preparation in understanding medical conditions commonly experienced  
1.18 by persons diagnosed with an autism spectrum disorder, including pediatric autoimmune  
1.19 neuropsychiatric disorders associated with streptococcal infections (PANDAS), pediatric  
1.20 acute-onset neuropsychiatric syndrome (PANS), abnormal DNA methylation, and  
1.21 gastrointestinal (GI) disorders.

2.1 Sec. 2. Minnesota Statutes 2018, section 214.12, is amended by adding a subdivision to  
2.2 read:

2.3 Subd. 7. **Medical conditions affecting persons diagnosed with an autism spectrum**  
2.4 **disorder.** (a) The Board of Medical Practice and the Board of Nursing shall require licensees  
2.5 who practice primarily in hospital emergency departments to receive education on medical  
2.6 conditions commonly experienced by persons diagnosed with an autism spectrum disorder,  
2.7 including pediatric autoimmune neuropsychiatric disorders associated with streptococcal  
2.8 infections (PANDAS), pediatric acute-onset neuropsychiatric syndrome (PANS), abnormal  
2.9 DNA methylation, and gastrointestinal (GI) disorders. The education must include  
2.10 information on how PANDAS and PANS often present behaviorally in persons diagnosed  
2.11 with an autism spectrum disorder. Continuing education credit on medical conditions  
2.12 commonly experienced by persons diagnosed with an autism spectrum disorder must meet  
2.13 board requirements.

2.14 (b) The Board of Psychology shall require licensees who practice primarily in hospital  
2.15 emergency departments to receive education on medical conditions commonly experienced  
2.16 by persons diagnosed with an autism spectrum disorder, including PANDAS, PANS,  
2.17 abnormal DNA methylation, and GI disorders. The education must include information on  
2.18 how PANDAS and PANS often present behaviorally in persons diagnosed with an autism  
2.19 spectrum disorder. Continuing education credit on medical conditions commonly experienced  
2.20 by persons diagnosed with an autism spectrum disorder must meet board requirements.

2.21 Sec. 3. Minnesota Statutes 2018, section 245D.09, subdivision 4a, is amended to read:

2.22 Subd. 4a. **Orientation to individual service recipient needs.** (a) Before having  
2.23 unsupervised direct contact with a person served by the program, or for whom the staff  
2.24 person has not previously provided direct support, or any time the plans or procedures  
2.25 identified in paragraphs (b) to (f) are revised, the staff person must review and receive  
2.26 instruction on the requirements in paragraphs (b) to (f) as they relate to the staff person's  
2.27 job functions for that person.

2.28 (b) For community residential services, training and competency evaluations must include  
2.29 the following, if identified in the coordinated service and support plan:

2.30 (1) appropriate and safe techniques in personal hygiene and grooming, including hair  
2.31 care; bathing; care of teeth, gums, and oral prosthetic devices; and other activities of daily  
2.32 living (ADLs) as defined under section 256B.0659, subdivision 1;

3.1 (2) an understanding of what constitutes a healthy diet according to data from the Centers  
3.2 for Disease Control and Prevention and the skills necessary to prepare that diet; and

3.3 (3) skills necessary to provide appropriate support in instrumental activities of daily  
3.4 living (IADLs) as defined under section 256B.0659, subdivision 1.

3.5 (c) The staff person must review and receive instruction on the person's coordinated  
3.6 service and support plan or coordinated service and support plan addendum as it relates to  
3.7 the responsibilities assigned to the license holder, and when applicable, the person's individual  
3.8 abuse prevention plan, to achieve and demonstrate an understanding of the person as a  
3.9 unique individual, and how to implement those plans.

3.10 (d) The staff person must review and receive instruction on medication setup, assistance,  
3.11 or administration procedures established for the person when assigned to the license holder  
3.12 according to section 245D.05, subdivision 1, paragraph (b). Unlicensed staff may perform  
3.13 medication setup or medication administration only after successful completion of a  
3.14 medication setup or medication administration training, from a training curriculum developed  
3.15 by a registered nurse or appropriate licensed health professional. The training curriculum  
3.16 must incorporate an observed skill assessment conducted by the trainer to ensure unlicensed  
3.17 staff demonstrate the ability to safely and correctly follow medication procedures.

3.18 Medication administration must be taught by a registered nurse, clinical nurse specialist,  
3.19 certified nurse practitioner, physician assistant, or physician if, at the time of service initiation  
3.20 or any time thereafter, the person has or develops a health care condition that affects the  
3.21 service options available to the person because the condition requires:

3.22 (1) specialized or intensive medical or nursing supervision; and

3.23 (2) nonmedical service providers to adapt their services to accommodate the health and  
3.24 safety needs of the person.

3.25 (e) The staff person must review and receive instruction on the safe and correct operation  
3.26 of medical equipment used by the person to sustain life or to monitor a medical condition  
3.27 that could become life-threatening without proper use of the medical equipment, including  
3.28 but not limited to ventilators, feeding tubes, or endotracheal tubes. The training must be  
3.29 provided by a licensed health care professional or a manufacturer's representative and  
3.30 incorporate an observed skill assessment to ensure staff demonstrate the ability to safely  
3.31 and correctly operate the equipment according to the treatment orders and the manufacturer's  
3.32 instructions.

4.1 (f) The staff person must review and receive instruction on mental health crisis response,  
4.2 de-escalation techniques, and suicide intervention when providing direct support to a person  
4.3 with a serious mental illness.

4.4 (g) In the event of an emergency service initiation, the license holder must ensure the  
4.5 training required in this subdivision occurs within 72 hours of the direct support staff person  
4.6 first having unsupervised contact with the person receiving services. The license holder  
4.7 must document the reason for the unplanned or emergency service initiation and maintain  
4.8 the documentation in the person's service recipient record.

4.9 (h) License holders who provide direct support services themselves must complete the  
4.10 orientation required in subdivision 4, clauses (3) to (10).

4.11 (i) For residential services and supports as described in section 245D.03, subdivision 1,  
4.12 paragraph (c), clause (3), before a direct support staff person has unsupervised direct contact  
4.13 with a person served by the program who is diagnosed with an autism spectrum disorder,  
4.14 the license holder must provide and ensure completion of training related to medical  
4.15 conditions commonly experienced by persons diagnosed with an autism spectrum disorder.

4.16 **Sec. 4. APPROPRIATION; EDUCATION REGARDING MEDICAL CONDITIONS**  
4.17 **AFFECTING PERSONS WITH AN AUTISM SPECTRUM DISORDER.**

4.18 \$50,000 in fiscal year 2021 is appropriated from the general fund to the commissioner  
4.19 of human services for a grant to a qualified applicant to develop and make publicly available  
4.20 at no cost a curriculum for training direct support staff providing residential services and  
4.21 supports to persons diagnosed with an autism spectrum disorder. The grant recipient must  
4.22 be a licensed physician, nurse practitioner, or academic in a medical field at the doctoral  
4.23 level. The curriculum must cover topics related to medical conditions commonly experienced  
4.24 by persons diagnosed with an autism spectrum disorder, including pediatric autoimmune  
4.25 neuropsychiatric disorders associated with streptococcal infections (PANDAS), pediatric  
4.26 acute-onset neuropsychiatric syndrome (PANS), abnormal DNA methylation, and  
4.27 gastrointestinal (GI) disorders. This is a onetime appropriation.