

Section 1 is effective the day following final enactment.

Presented to the governor April 18, 1994

Signed by the governor April 20, 1994, 1:45 p.m.

CHAPTER 469—S.F.No. 2422

An act relating to burial grounds; modifying provisions for enforcement of certain civil actions; amending Minnesota Statutes 1993 Supplement, section 307.082.

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

Section 1. Minnesota Statutes 1993 Supplement, section 307.082, is amended to read:

307.082 CIVIL ACTIONS.

Subdivision 1. WHO MAY BRING. An action under this section may be maintained by the attorney general; a state agency or political subdivision; an individual residing within this state; or a partnership, corporation, association, company, or other entity with shareholders, members, partners, or employees residing within this state.

Subd. 2. ACTION. The attorney general or the county attorney ~~A person or entity listed in subdivision 1~~ may maintain a civil action seeking a temporary or permanent injunction, damages, or other appropriate relief against a person who is alleged to have committed a violation of section 307.08, subdivision 2. The action must be brought within ~~one year~~ two years after the alleged violation is discovered and reported to the state archaeologist or the Indian affairs council. The action must be filed in either the district court of the county in which the ~~alleged violation occurred~~ subject burial ground is located or in which the ~~alleged violator~~ defendant resides.

Presented to the governor April 18, 1994

Signed by the governor April 20, 1994, 1:46 p.m.

CHAPTER 470—S.F.No. 1806

An act relating to nursing; allowing certified clinical specialists in psychiatric or mental health nursing to prescribe and administer drugs; appropriating money; amending Minnesota Statutes 1992, section 148.235, by adding subdivisions; Minnesota Statutes 1993 Supplement, section 148.235, subdivision 2.

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1993 Supplement, section 148.235, subdivision 2, is amended to read:

Subd. 2. **NURSE PRACTITIONERS.** ~~(a) PRESCRIBING AUTHORITY.~~
A registered nurse who (1) has graduated from a program of study designed to prepare registered nurses for advanced practice as nurse practitioners, (2) is certified through a national professional nursing organization which certifies nurse practitioners and is included in the list of professional nursing organizations adopted by the board under section 62A.15, subdivision 3a, and (3) has a written agreement with a physician based on standards established by the Minnesota nurses association and the Minnesota medical association that defines the delegated responsibilities related to the prescription of drugs and therapeutic devices, may prescribe and administer drugs and therapeutic devices within the scope of the written agreement and within practice as a nurse practitioner.

(b) **RULES.** By July 1, 1994, the board shall promulgate rules to provide for the following:

(1) a system of identifying nurse practitioners eligible to prescribe drugs and therapeutic devices;

(2) a method of determining which general categories of prescription drugs and therapeutic devices have been delegated to each nurse practitioner;

(3) a system of transmitting to pharmacists information concerning nurse practitioners eligible to prescribe drugs and therapeutic devices and the types of drugs and therapeutic devices they have been delegated the authority to prescribe; and

(4) a fee to the nurse practitioner who seeks prescribing authority in an amount sufficient to cover the board's ongoing costs relating to monitoring and regulating the prescribing authority of nurse practitioners.

Sec. 2. Minnesota Statutes 1992, section 148.235, is amended by adding a subdivision to read:

Subd. 4. **CLINICAL SPECIALISTS IN PSYCHIATRIC AND MENTAL HEALTH NURSING.** A registered nurse who (1) has a masters degree, (2) is certified through a national professional nursing organization which certifies clinical specialists in psychiatric and mental health nursing and is included in the list of professional nursing organizations adopted by the board under section 62A.15, subdivision 3a, (3) has successfully completed no less than 30 hours of formal study in the prescribing of psychotropic medications and medications to treat their side effects which included instruction in health assessment, psychotropic classifications, psychopharmacology, indications, dosages, contraindications, side effects, and evidence of application, and (4) has a written agreement with a psychiatrist based on standards established by the Minnesota nurses association and the Minnesota psychiatric association that specifies and

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defines the delegated responsibilities related to the prescription of drugs in relationship to the diagnosis, may prescribe and administer drugs used to treat psychiatric and behavioral disorders and the side effects of those drugs within the scope of the written agreement and within practice as a clinical specialist in psychiatric and mental health nursing.

Nothing in this subdivision removes or limits the legal professional liability of the treating psychiatrist, clinical nurse specialist, mental health clinic or hospital for the prescription and administration of drugs by a clinical specialist in accordance with this subdivision.

Sec. 3. Minnesota Statutes 1992, section 148.235, is amended by adding a subdivision to read:

Subd. 5. RULES. (a) The board shall promulgate rules to provide for the following:

(1) a system of identifying advanced practice nurses eligible to prescribe drugs as authorized under this section;

(2) a system of transmitting to pharmacists the identity of advanced practice nurses eligible to prescribe drugs; and

(3) a fee to nurse practitioners and certified clinical specialists in psychiatric and mental health nursing who seek prescribing authority.

(b) The repeal of section 148.235, subdivision 2, paragraph (b), does not automatically repeal rules adopted under that paragraph.

Sec. 4. APPROPRIATION.

\$15,000 is appropriated from the state government special revenue fund to the board of nursing for fiscal year ending July 1, 1995, to administer sections 2 and 3.

Sec. 5. EFFECTIVE DATE.

Sections 1 to 4 are effective the day following final enactment.

Presented to the governor April 18, 1994

Signed by the governor April 20, 1994, 1:47 p.m.

CHAPTER 471—S.F.No. 2551

An act relating to the city of Duluth; establishing the powers and duties of the board of directors of trusts of the city of Duluth in the establishment, administration, management, maintenance, improvement, and financing of Miller-Dwan hospital; amending Laws 1969, chapter 224, sections 1, 2, and 3.

New language is indicated by underline, deletions by ~~strikeout~~.