

(2) shall notify the board of nursing home administrators by June 1, 1999, that the commissioner has recommended to the federal government that fines not be imposed on the facilities referred to in this subdivision or that any fines imposed on these facilities for violations of regulations governing use of physical restraints be rescinded.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor April 19, 1999

Signed by the governor April 22, 1999, 9:20 a.m.

CHAPTER 84—H.F.No. 463

An act relating to health; providing for review of ambulance services and first responders; amending Minnesota Statutes 1998, section 145.61, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 144E.

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

Section 1. [144E.32] REVIEW ORGANIZATION.

Subdivision 1. APPLICABLE LAW. The provisions of sections 145.61 to 145.67 apply to an ambulance service or first responder review organization.

Subd. 2. REVIEW ORGANIZATION DEFINED. A review organization, as defined under section 145.61, includes a committee of an ambulance service provider, a physician medical director, a medical advisor, or ambulance supervisory personnel who gather, create, and review information relating to the care and treatment of patients in providing emergency medical care, including employee performance reviews, quality assurance data, and other ambulance service or first responder performance data for ambulance services licensed under section 144E.10 or 144E.12 or first responders registered under section 144E.27, for the purposes specified under section 145.61, subdivision 5.

Sec. 2. Minnesota Statutes 1998, section 145.61, subdivision 5, is amended to read:

Subd. 5. REVIEW ORGANIZATION. "Review organization" means a nonprofit organization acting according to clause (k), a committee as defined under section 144E.32, subdivision 2, or a committee whose membership is limited to professionals, administrative staff, and consumer directors, except where otherwise provided for by state or federal law, and which is established by one or more of the following: a hospital, a clinic, a nursing home, an ambulance service or first responder service regulated under chapter 144E, one or more state or local associations of professionals, an organization of professionals from a particular area or medical institution, a health maintenance organization as defined in chapter 62D, a nonprofit health service plan corporation as defined in chapter 62C, a preferred provider organization, a professional standards review organization established pursuant to United States Code, title 42, section 1320c-1 et seq., a medical review agent established to meet the requirements of section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b), the department of human services, a

New language is indicated by underline, deletions by strikeout.

health provider cooperative operating under sections 62R.17 to 62R.26, or a corporation organized under chapter 317A that owns, operates, or is established by one or more of the above referenced entities, to gather and review information relating to the care and treatment of patients for the purposes of:

(a) evaluating and improving the quality of health care rendered in the area or medical institution or by the entity or organization that established the review organization;

(b) reducing morbidity or mortality;

(c) obtaining and disseminating statistics and information relative to the treatment and prevention of diseases, illness and injuries;

(d) developing and publishing guidelines showing the norms of health care in the area or medical institution or in the entity or organization that established the review organization;

(e) developing and publishing guidelines designed to keep within reasonable bounds the cost of health care;

(f) reviewing the quality or cost of health care services provided to enrollees of health maintenance organizations, health service plans, preferred provider organizations, and insurance companies;

(g) acting as a professional standards review organization pursuant to United States Code, title 42, section 1320c-1 et seq.;

(h) determining whether a professional shall be granted staff privileges in a medical institution, membership in a state or local association of professionals, or participating status in a nonprofit health service plan corporation, health maintenance organization, preferred provider organization, or insurance company, or whether a professional's staff privileges, membership, or participation status should be limited, suspended or revoked;

(i) reviewing, ruling on, or advising on controversies, disputes or questions between:

(1) health insurance carriers, nonprofit health service plan corporations, health maintenance organizations, self-insurers and their insureds, subscribers, enrollees, or other covered persons;

(2) professional licensing boards and health providers licensed by them;

(3) professionals and their patients concerning diagnosis, treatment or care, or the charges or fees therefor;

(4) professionals and health insurance carriers, nonprofit health service plan corporations, health maintenance organizations, or self-insurers concerning a charge or fee for health care services provided to an insured, subscriber, enrollee, or other covered person;

(5) professionals or their patients and the federal, state, or local government, or agencies thereof;

(j) providing underwriting assistance in connection with professional liability insurance coverage applied for or obtained by dentists, or providing assistance to underwriters in evaluating claims against dentists;

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(k) acting as a medical review agent under section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b);

(l) providing recommendations on the medical necessity of a health service, or the relevant prevailing community standard for a health service;

(m) providing quality assurance as required by United States Code, title 42, sections 1396r(b)(1)(b) and 1395i-3(b)(1)(b) of the Social Security Act;

(n) providing information to group purchasers of health care services when that information was originally generated within the review organization for a purpose specified by this subdivision; or

(o) providing information to other, affiliated or nonaffiliated review organizations, when that information was originally generated within the review organization for a purpose specified by this subdivision, and as long as that information will further the purposes of a review organization as specified by this subdivision.

Presented to the governor April 19, 1999

Signed by the governor April 22, 1999, 9:28 a.m.

CHAPTER 85—H.F.No. 836

An act relating to business organizations; regulating business corporations; defining terms; modifying the authority to grant restricted stock; regulating take-over offers; providing for name changes in certain circumstances; regulating mergers and exchanges; making clarifying and technical changes; removing ambiguities; regulating limited liability companies; eliminating unnecessary provisions; correcting terminology; regulating member control agreements and dissolutions; providing for the duration of certain companies; making conforming changes required by the enactment of the revised Uniform Partnership Act; amending Minnesota Statutes 1998, sections 302A.011, subdivisions 7 and 56; 302A.111, subdivision 5; 302A.181, subdivision 1; 302A.223, subdivision 3; 302A.402, subdivision 3; 302A.405, subdivision 1; 302A.417, subdivision 7; 302A.457, subdivisions 1 and 2; 302A.471, subdivision 1; 302A.613, subdivision 1; 302A.621, subdivisions 1 and 6; 302A.671, subdivision 1; 302A.675, subdivision 2; 319B.02, subdivisions 10, 12, 21, and 22; 319B.04, subdivisions 2 and 3; 319B.08, subdivision 1; 319B.10, subdivision 2; 319B.11, subdivisions 3, 4, and 8; 322A.02; 322A.87; 322A.88; 322B.03, subdivisions 12, 30, 44, and 45; 322B.115, subdivisions 1, 2, and 3; 322B.155; 322B.20, subdivisions 1 and 2; 322B.30, subdivision 2; 322B.306; 322B.31, subdivision 3; 322B.313, subdivisions 2, 3, and 7; 322B.323, subdivision 2; 322B.326; 322B.33, subdivisions 1 and 4; 322B.333, subdivisions 1 and 3; 322B.336, subdivisions 1 and 3; 322B.34, subdivisions 2 and 3; 322B.343, subdivisions 1 and 2; 322B.346; 322B.35, subdivision 1; 322B.353; 322B.356, subdivisions 1, 2, and 3; 322B.363, subdivisions 2 and 3; 322B.366, subdivision 1; 322B.37; 322B.383, subdivision 1; 322B.386, subdivisions 1, 2, 4, and 5; 322B.40, subdivisions 1, 5, and 6; 322B.41, subdivisions 3 and 4; 322B.42, subdivision 5; 322B.43, subdivisions 1 and 3; 322B.50; 322B.51; 322B.52; 322B.54, subdivision 1; 322B.56, subdivision 1; 322B.603; 322B.606, subdivision 1; 322B.61; 322B.613; 322B.616; 322B.623; 322B.626; 322B.63, subdivision 1; 322B.636, subdivisions 1 and 3; 322B.64; 322B.643, subdivisions 1, 3, and 4; 322B.646; 322B.65; 322B.653; 322B.656, subdivision 1; 322B.66, subdivision 2; 322B.663, subdivision 4; 322B.666, subdivision 1; 322B.673, subdivisions 1 and 2; 322B.676; 322B.686, subdivision 3; 322B.689; 322B.699, subdivision 4; 322B.72, subdivisions 1 and 2; 322B.80, subdivision 1;

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