

authorized agent for service of legal process, which agent for service shall be a resident of the state of Minnesota.

Sec. 43. Minnesota Statutes 2002, section 155A.16, is amended to read:

155A.16 VIOLATIONS; PENALTIES.

Any person who violates any of the provisions of this chapter sections 155A.01 to 155A.16 is guilty of a misdemeanor and upon conviction may be sentenced to imprisonment for not more than 90 days or fined not more than \$700, or both, per violation.

Sec. 44. **APPROPRIATION.**

\$572,000 is appropriated from the general fund to the Board of Barber and Cosmetologist Examiners for the fiscal year ending June 30, 2005. This appropriation is in addition to the appropriation made in Laws 2003, First Special Session chapter 1, article 3, section 5, and is added to the board's base.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 8:50 a.m.

CHAPTER 270—H.F.No. 2050

An act relating to health occupations; authorizing a physician application fee; requiring certain foreign medical school graduates to use a credentials verification service; amending Minnesota Statutes 2002, sections 147.01, by adding a subdivision; 147.037, subdivision 1.

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

Section 1. Minnesota Statutes 2002, section 147.01, is amended by adding a subdivision to read:

Subd. 7. **PHYSICIAN APPLICATION FEE.** The board may charge a physician application fee of \$200. The revenue generated from the fee must be deposited in an account in the state government special revenue fund.

Sec. 2. Minnesota Statutes 2002, section 147.037, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENTS.** The board shall issue a license to practice medicine to any person who satisfies the requirements in paragraphs (a) to (g).

(a) The applicant shall satisfy all the requirements established in section 147.02, subdivision 1, paragraphs (a), (e), (f), (g), and (h).

(b) The applicant shall present evidence satisfactory to the board that the applicant is a graduate of a medical or osteopathic school approved by the board as equivalent

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to accredited United States or Canadian schools based upon its faculty, curriculum, facilities, accreditation, or other relevant data. If the applicant is a graduate of a medical or osteopathic program that is not accredited by the Liaison Committee for Medical Education or the American Osteopathic Association, the applicant must use the Federation of State Medical Boards' Federation Credentials Verification Service (FCVS) or its successor. If the applicant uses this service as required under this paragraph, the physician application fee may be less than \$200 but must not exceed the cost of administering this paragraph.

(c) The applicant shall present evidence satisfactory to the board that the applicant has been awarded a certificate by the educational council for foreign medical graduates, and the applicant has a working ability in the English language sufficient to communicate with patients and physicians and to engage in the practice of medicine.

(d) The applicant shall present evidence satisfactory to the board of the completion of two years of graduate, clinical medical training in a program located in the United States, its territories, or Canada and accredited by a national accrediting organization approved by the board. This requirement does not apply:

(1) to an applicant who is admitted as a permanent immigrant to the United States on or before October 1, 1991, as a person of exceptional ability in the sciences according to Code of Federal Regulations, title 20, section 656.22(d);

(2) to an applicant holding a valid license to practice medicine in another country and issued a permanent immigrant visa after October 1, 1991, as a person of extraordinary ability in the field of science or as an outstanding professor or researcher according to Code of Federal Regulations, title 8, section 204.5(h) and (i), or a temporary nonimmigrant visa as a person of extraordinary ability in the field of science according to Code of Federal Regulations, title 8, section 214.2(o),

provided that a person under clause (1) or (2) is admitted pursuant to rules of the United States Department of Labor; or

(3) to an applicant who is licensed in another state, has practiced five years without disciplinary action in the United States, its territories, or Canada, has completed one year of the graduate, clinical medical training required by this paragraph, and has passed the Special Purpose Examination of the Federation of State Medical Boards within three attempts in the 24 months before licensing.

(e) The applicant must:

(1) have passed an examination prepared and graded by the Federation of State Medical Boards, the United States Medical Licensing Examination program in accordance with section 147.02, subdivision 1, paragraph (c), clause (2), or the Medical Council of Canada; and

(2) have a current license from the equivalent licensing agency in another state or country and, if the examination in clause (1) was passed more than ten years ago, either:

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(i) pass the Special Purpose Examination of the Federation of State Medical Boards with a score of 75 or better within three attempts; or

(ii) have a current certification by a specialty board of the American Board of Medical Specialties, of the American Osteopathic Association Bureau of Professional Education, of the Royal College of Physicians and Surgeons of Canada, or of the College of Family Physicians of Canada.

(f) The applicant must not be under license suspension or revocation by the licensing board of the state or jurisdiction in which the conduct that caused the suspension or revocation occurred.

(g) The applicant must not have engaged in conduct warranting disciplinary action against a licensee, or have been subject to disciplinary action other than as specified in paragraph (f). If an applicant does not satisfy the requirements stated in this paragraph, the board may issue a license only on the applicant's showing that the public will be protected through issuance of a license with conditions or limitations the board considers appropriate.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 9:20 a.m.

CHAPTER 271—H.F.No. 2255

An act relating to claims against the state; providing for settlement of various claims; appropriating money.

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

Section 1. DEPARTMENT OF CORRECTIONS.

The amounts in this section are appropriated from the general fund to the commissioner of corrections in fiscal year 2005 as full and final payment under Minnesota Statutes, section 3.739, of claims against the state for injuries suffered by and medical services provided to persons injured while performing community service or sentence-to-service work for correctional purposes or while incarcerated in a correctional facility.

(a) For claims already paid by the department, \$1,304.84.

(b) For payment to William Brown for a permanent partial disability suffered while performing community service work in Carlton County, \$35,090.

(c) For payment to Jaamal Ali, for a permanent partial disability suffered while performing sentence-to-service work in Olmsted County, \$850; and for medical services provided to Jaamal Ali, \$2,974.35.

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