

4695.1500 COMMISSIONER ACTIONS.

Subpart 1. **Commissioner actions.** The commissioner, upon review of the council report and recommendations, will take one of the actions listed below. The commissioner's action will be accompanied by a report giving the reason for the decision. Notification of the action will be made in the same manner as that of the public forum as called for in part 4695.1400, subpart 3.

Subp. 2. **Registration with existing licensing board.** If the commissioner determines that an occupational group shall be credentialed by registration with an existing health-related licensing board acting as the administrative authority, the commissioner will establish procedures and adopt rules in cooperation with the identified board. The rules shall include, if appropriate, but not be limited to the following:

- A. functional differentiation of the group;
 - B. qualifications for registration for all entry routes;
 - C. requirements for different levels of registered titles corresponding to steps in the occupation's career progression;
 - D. organizational structure of any advisory councils to the administrative authority;
 - E. procedures for registration;
 - F. requirements for registration renewal, including but not limited to provisions attempting to assure continued competency;
 - G. disciplinary procedures;
 - H. fee setting for initial application for registration and for renewal application;
- and
- I. such other information that the commissioner deems necessary for the regulation of the occupational group.

Subp. 3. **Registration with existing licensing board, commissioner, or new licensing board.** If the commissioner determines that an occupational group should be credentialed by licensure, with either an existing health related licensing board, the commissioner, or a new and separate licensing board, acting as administrative authority, the commissioner shall promptly so report to the legislature.

Subp. 4. **Registration with the commissioner.** If the commissioner determines that an occupational group shall be regulated by registration, with the commissioner acting as administrative authority, the commissioner shall establish procedures and adopt rules to implement the decision. The rules will include, if appropriate, but not be limited to, the items contained in subpart 2, items A to I.

Subp. 5. **Regulation under Minnesota Statutes.** If the commissioner determines that an occupational group should be regulated pursuant to Minnesota Statutes, section 214.001, subdivision 3, clause (a), (b), or (d) or any combination thereof or in combination with credentialing under parts 4695.0500 to 4695.1600, the commissioner shall promptly so report to the legislature.

Subp. 6. **No regulation.** If the commissioner determines that regulating the occupational group is not in the public interest, the applicant group (if the application was initiated by the group) or the council (if the application was initiated by the commissioner) shall be so notified.

Subp. 7. **Further study required.** If the commissioner determines that further study of the occupational group is required, the commissioner shall refer the recommendation back to the council for further study in accordance with the commissioner's instructions. The instructions shall include a specified time in which to complete this study. Extensions of time may be granted if needed to complete adequately the further study.

Statutory Authority: *MS s 214.13*

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