# Minnesota Health Licensing Boards

# Biennial Reports

July 1, 2008
To
June 30, 2010
Appendices

# Historical Information and Additional Board Data

# Minnesota Health Licensing Boards

# Biennial Reports

July 1, 2008
To
June 30, 2010

Appendices

This appendix to the 2008-2010 Biennial Reports of the Health-Related Licensing Boards includes information provided by:

- Minnesota Board of Barber Examiners
- Minnesota Board of Behavioral Health and Therapy
- Minnesota Board of Chiropractic Examiners
- Minnesota Board of Cosmetologist Examiners
- Minnesota Board of Dentistry
- Minnesota Board of Dietetics and Nutrition Practice
- Minnesota Board of Marriage and Family Therapy
- Minnesota Board of Medical Practice
- Minnesota Board of Nursing
- Minnesota Board of Examiners for Nursing Home Administrators
- Minnesota Board of Optometry
- Minnesota Board of Pharmacy
- Minnesota Board of Physical Therapy
- Minnesota Board of Podiatric Medicine
- Minnesota Board of Psychology
- Minnesota Board of Social Work
- Minnesota Board of Veterinary Medicine
- Minnesota Health Professionals Services Program
- Minnesota Office of Complementary and Alternative Health Care Practice

This contains supplemental information submitted by each board, that was not included in the main body of the report.

# Minnesota Board of Barber Examiners

**Legislative change in Biennium**

| | |
|---|---|
| Session law 2009, Chapter 101, Article 2, Section 59. | Office of Enterprise Technology Licensing surcharge adding 10% surcharge to all new and renewal licensing fees. |
| Session law 2009, Chapter 78, Article 1 , Section 16 | Budget Allocation |
| Session law 2009, Chapter 78, Article 6 , Section 9 | Creation of the Board of Barber Examiners separate from the Board of Cosmetologist Examiners |
| Session Law 2010, Chapter 215, Article 8, Section 3 Section 4 | Barber Board Officers<br>Increases fees |

**There were no proposed or adopted Rule changes proposed or adopted during the reporting period.**

**Active Licenses as of June 30, 2010**

The Minnesota Barber Board does not keep statistical data related to gender

| Type of License | Age | Residency | Total |
|---|---|---|---|
| **Barber Shop Licenses** | N/A | N/A | 835 |
| **Barber School Licenses** | N/A | N/A | 5 |
| **Student Barer Permits** | Age 18-25- 38<br>Age 26-35- 47<br>Age 36-45- 19<br>Age 46-55- 9<br>Age 56+- 1 | Minnesota 113<br>Other Location 1 | 114 |
| **Apprentice Barber Licenses** | Age 19-25- 20<br>Age 26-35- 75<br>Age 36-45- 29<br>Age 46-55- 15<br>Age 56+- 2 | Minnesota 141<br>Other Location 4 | 145 |
| **Registered (Master) Barber Licenses** | 21-35- 155<br>36-45- 263<br>46-55- 498<br>56 – 65- 493<br>66 – 75- 464<br>76+ - 115<br>No Data - 89 | Minnesota 1938<br>Other Location 24 | 1962 |
| **Barber Instructor Licenses** | 36-45- 2<br>46-55- 2<br>56- 65 5<br>65+ 1 | Minnesota 10<br>Other Location 0 | 10 |
| **TOTAL LICENSES Active 06/30/2010** | | | **3071** |

**Examinations administered by the Board during the biennium. The exams are not national tests.**

August 4, 2008 Apprentice and Master Barber: Practical and Oral Examinations
Minnesota School of Barbering, 3615 East Lake Street, Minneapolis

October 13, 2008 Apprentice Barber: Practical, Written, and Oral examinations
Moose Lake Correctional Facility, 1000 Lake Shore Drive, Moose Lake

November 3, 2008 Apprentice and Master Barber: Practical and Oral Examinations
Moler Barber School, 2500 Central Avenue NE, Minneapolis

February 2, 2009 Apprentice and Master Barber and Instructor: Practical and Oral Examinations
Minnesota School of Barbering, 3615 East Lake Street, Minneapolis,

April 20, 2009 Apprentice Barber and Instructor: Practical, Written, and Oral examinations
Moose Lake Correctional Facility, 1000 Lake Shore Drive, Moose Lake

May 4, 2009 Apprentice and Master Barber: Practical and Oral Examinations
Moler Barber School, 2500 Central Avenue NE, Minneapolis

August 3, 2009 Apprentice and Master Barber: Written, Practical and Oral Examinations
Minnesota School of Barbering, 3615 East Lake Street, Minneapolis

October 19, 2009 Apprentice Barber: Practical, Written, and Oral examinations
Moose Lake Correctional Facility, 1000 Lake Shore Drive, Moose Lake

November 2, 2009 Apprentice and Master Barber: Written, Practical and Oral Examinations
Moler Barber School, 2500 Central Avenue NE, Minneapolis

February 1, 2010 Apprentice and Master Barber: Written, Practical and Oral Examinations
Minnesota School of Barbering, 3615 East Lake Street, Minneapolis

May 3, 2010 Apprentice and Master Barber and Instructor: Written, Practical and Oral Examinations
Moler Barber School, 2500 Central Avenue NE, Minneapolis

# Minnesota Board of Barber Examiners (Continued)

**Number of persons examined by the Board (age, gender, and residency data not available)**
**Number of persons licensed by the Board after taking the examination**
**Number of persons not licensed after taking the examination**

| Type of Examination | Passed Exam and Licensed (J) | Failed Exam Not Licensed (K) | Total Examinations (I) |
|---|---|---|---|
| Apprentice Exams | 113 | 25 | 138 |
| Registered (Master) Barber | 80 | 56 | 136 |
| Instructor | 3 | 1 | 4 |
| **Totals** | **196** | **82** | **278** |

**Number of persons licensed by the Board without examination** 0
**Number of persons previously licensed whose license was revoked, suspended. Or otherwise altered.**
Twelve (12) licenses were suspended based on Minnesota Statutes §518A.66 for child support orders

| **Number of written and oral complaints and other communication received by the Executive Secretary and persons performing services for the board.** | **Summary of Dispositions** |
|---|---|
| Summary by Category | Disposition |
| Four (4) written complaints regarding unlicensed activity | Reviewed by the complaint committee and closed due to incomplete information received. |
| Two (2) written complaints regarding sanitation issues | One closed by complaint committee for incomplete information.<br>One referred for inspection which occurred, corrections recommended and all found in good order upon re-inspection one month later. |
| Three (3) miscellaneous written complaints | One referred for inspection and correction was ordered and completed per re-inspection follow-up.<br>One was closed after review by complaint committee for incomplete information.<br>One was closed as non-jurisdictional and referred to the Cosmetologist Board of Examiners. |

# Minnesota Board of Behavioral Health and Therapy

Minnesota Board of Behavioral Health and Therapy (BBHT)
Number and Type of Credentials Issued or Renewed:

| Total Number of persons licensed as of June 30, 2010 | Number and Type of Credentials Issued during biennium ending June 30, 2010 | Total Credentials Renewed during biennium ending June 30, 2010 | |
|---|---|---|---|
| | Type | Number Issued | Number Renewed |
| 2142 LADC | LADC | 504 | 2500 |
| 143 Temp. Permit | ADC Temp. Permit | 257 | 532 |
| 557 LPC | LPC | 229 | 970 |
| 170 LPCC | LPCC | 57 | 63 |

| Total Number of persons licensed as of June 30, 2008 | Number and Type of Credentials Issued during biennium ending June 30, 2008 | Total Credentials Renewed during biennium ending June 30, 2008 | |
|---|---|---|---|
| | Type | Number | Not Available |
| 1757 LADC | LADC | 403 | |
| 296 Temp. Permit | ADC Temp.Permit | 356 | |
| 539 LPC | LPC | 272 | |
| 1 2 LPCC | LPCC | 12 | |

| Total Number of persons licensed as of June 30, 2006 | Number and Type of Credentials Issued during biennium ending June 30, 2006 | Total Credentials Renewed during biennium ending June 30, 2006 | |
|---|---|---|---|
| | Type | Number | Not Available |
| 1464 LADC | LADC | 142 (FY 06 only) | |
| 203 Temp. Permit | ADC Temp.Permit | 149 (FY 06 only) | |
| 373 LPC | LPC | 360 | |

Number of Complaints Received:

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 138 Complaints received – LADC<br>27 Complaints received– LPC | Not Applicable |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 157 Complaints received – LADC<br>21 Complaints received - LPC | Not Applicable |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 52 Complaints received - LADC (FY 06 only)<br>8 Complaints received - LPC | Not Applicable |

Number and age of complaints open at the end of the period:

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 184 – LADC (3 disciplinary actions taken)<br>23 - LPC | 62 – LADC (52 open for less than 1 yr.; 10 open for more than 1 yr.)<br>16 – LPC (15 open for less than 1 yr.; 1 open for more than 1 yr.) |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 248 – LADC<br>8 - LPC | Data not available |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 99 – LADC<br>7 – LPC | Data not available |

As of July 1, 2005, the Board began regulating Licensed Alcohol and Drug Counselors when the program was transferred to the Board from the Department of Health (MDH). In addition to BBHT inheriting a program debt from MDH of $1,044,000, MDH also transferred 263 open complaint files. Over the past five years, BBHT has reduced the number of open complaint files to only 62 (52 of which have been open for less than one year), reduced the LADC program debt to $367,000, and is on target to retire the debt by 2013 or earlier. BBHT has accomplished this with only 2 full time equivalent employees for the LADC program while MDH had 3.33 full time equivalent employees assigned to the LADC program.

Receipts, Disbursements and Major Fees

The LPC program has an annual base budget of $144,000 and the LADC program has an annual base budget of $250,000.

| Item | FY 2009 and FY 2010 |
|---|---|
| LPC Receipts | $460,042 |
| LADC Receipts | $947,156 |
| LPC Disbursements | $313,156 |
| LADC Disburse-ments | $626,322 |
| Total Bd. Receipts | $1,407,208 |
| Total Bd. Disb. | $939,478 |

Legislation passed in 2007 reduced the annual base budget for the Board by approximately 42%. The LPC program annual base budget was reduced from $350,000 to $144,000, and the annual base budget for the LADC program was reduced from $323,000 to $250,000.

| Item | FY 2007 and FY 2008 |
|---|---|
| LPC Receipts | $270,715 |
| LADC Receipts | $901,679 |
| LPC Disbursements | $202,433 |
| LADC Disburse-ments | $529,213 |
| Total Bd. Receipts | $1,172,394 |
| Total Bd. Disb. | $731,646 |

In FY 2005 and FY 206, the LPC program had an annual base budget of $350,000 and the LADC program had an annual base budget of $323,000.

| Item | FY 2005 and FY 2006 |
|---|---|
| LPC Receipts | $149,966 |
| LADC Receipts | $719,030 |
| LPC Disbursements | $528,060 |
| LADC Disburse-ments | $600,883 |
| Total Bd. Receipts | $868,996 |
| Total Bd. Disb. | $1,128,943 |

Board legislation in 2007 related to fees passed and created new application and licensure fees and established fees for continuing education sponsors and licensure supervisors.

| LPC and LPCC Fees | Amount |
|---|---|
| LPC and LPCC Application Fee | 150 |
| LPC and LPCC Initial License Fee | 250 |
| LPC/LPCC Renewal Fee (Active) | 250 |
| LPC/LPCC Renewal Fee (Inactive) | 125 |
| LPC and LPCC Late Renewal Fee | 100 |
| Board Order Copy | 10 |
| License Verification | 25 |
| Duplicate Certificate Fee | 25 |
| Supervisor Application Fee | 30 |
| CE Course Sponsor Fee | 60 |
| Professional Firm Renewal Fee | 25 |
| Initial Registration Fee | 50 |
| Annual Registration Renewal Fee | 25 |

| LADC Fees | Amount |
|---|---|
| Application for licensure | 295 |
| Biennial Renewal Fee (Active) | 295 |
| Biennial Renewal Fee (Inactive) | 150 |
| Temp. Permit Application Fee | 100 |
| Temp. Permit Renewal Fee | 150 |
| Late Renewal Fee | 25% of renewal fee |
| License Verification | 25 |
| Surcharge Fee (Lic. App. & Renewal) | 99 |
| Approved Supervisor App. Fee | 30 |
| Continuing Education Sponsor Fee | 60 |
| Duplicate Certificate Fee | 25 |
| Board Order Copy Fee | 10 |
| Renewal Fee After Expiration | Renewal fee, late fee, and $100 for CE review |
| Penalty Fee (Practice w/o license after expiration or before renewal) | Renewal fee for any part of first month, plus renewal fee for any part of any subsequent month up to 36 months |
| Penalty Fee (applicant practice w/o license) | Lic. app. fee for any part of first month, plus lic. app fee for any part of any subsequent month up to 36 months |
| Penalty Fee Related to Late CE Reporting or Insufficient CE | $100 for late report; $20 for each missing clock hour |

The State of Health Occupation Regulation

The Board has 3.0 full-time equivalent positions. In the past biennium the Board has on two occasions utilized temporary workers during staff member family leaves of absence. The full time staff members include an executive director, a licensing coordinator for the LPC/LPCC program and a licensing coordinator for the LADC program. Every staff member of the Board must have a broad base of knowledge and skills. While each staff member has a specialty (e.g. licensure expert for each program and executive director who must have overall knowledge and skills related to all regulatory and administrative duties of the Board), the needs of the Board, the professionals regulated by the Board, and the recipients of counseling services require that all employees have a basic knowledge of all Board operations in order to answer questions and provide information to applicants, licensees, and members of the public. Because of its small staff, the Board relies heavily on the detailed information on its website to assist applicants, licensees, and the public.

The staffing level and base budget have not changed in the last four years, but the number of regulatory duties has increased along with the number of applicants and licensees. The base budget that was reduced by approximately 42% in 2007 will need to be increased in the very near future to allow the Board to have an adequate number of staff members to regulate the LADC and LPC/ LPCC professions.

In 2008, the Board established a Public Advisory Committee to assist the Board's Legislative Committee in rewriting regulations for LADCs in order to remove confusing, obsolete, repetitive, and unnecessary language. The Board has continued to work with the Advisory Committee and other interested persons to improve the regulations related to alcohol and drug counseling. The Board's Legislative Committee convened 16 times between March 2008 and February 2010 to develop a legislative proposal. The Board intends to move forward with legislation in the 2011 session to accomplish the goals set in 2008. The legislation, if passed, will make LADC regulation and licensing processes more efficient and cost effective.

In June 2009, the Board hired a consultant to construct a regulation and licensing database system to consolidate all previous BBHT databases into a single licensing and regulation database system. The single database will streamline regulation and licensing processes and enable the Board to issue and renew licenses and perform its other regulatory duties in a more efficient and cost effective manner. The project is scheduled to be finished by June 30, 2011. Online services will include, at a minimum, license renewals, license verifications, and data requests (mailing lists and reports).

One of the emerging issues of great concern to the Board relates to legislation passed in 2009. Minnesota Statutes section 16E.22 created a statewide electronic licensing system. The statute requires that the Board collect a ten percent surcharge of initial license and renewal fees for six years beginning July 1, 2009, and continuing through June 30, 2015. In FY 10, BBHT collected surcharge fees from its licensees in the amount of $55,428 and transferred those funds to an electronic licensing account for use by the Office of Enterprise Technology (OET). The six year total of funds to OET will exceed $330,000. It is unknown to the Board how OET is using the funds, and it is uncertain how this initiative will improve the critical functionality of the regulation database that the Board will already have in place. If BBHT is required to pay for the costs to connect to a statewide electronic licensing system without an increase in its base budget, it will have a significant impact on the Board's ability to regulate the professions it is charged with regulating. The Board cannot afford to pay any costs out of its operating budget to connect to the OET statewide system, and any fee increases to fund the connection will make LADC and LPC/LPCC licensure fees some of the highest in the country.

Board Members:

Pursuant to Minnesota Statutes section 148B.51, the Board is required to have thirteen members who are appointed by the Governor for four-year terms. Five of the members shall be professional counselors licensed or eligible for licensure under sections 148B.50 to 148B.593. Five of the members are to be alcohol and drug counselors licensed under chapter 148C. Three of the members shall be public members as defined in section 214.02.

The Board convened for 8 quarterly board meetings. The following committees of the Board met regularly to accomplish the duties of the Board: Legislative, Application and Licensure, Complaint Resolution, Personnel, Executive, and Examination Evaluation. The Application and Licensure Committee and the Complaint Resolution Committee meet monthly. Other committee meetings are scheduled as needed. The Board has been hampered by not having a full complement of board members for most of the last 6 years. Finally, as of June 2010, the Board has a full complement of Board members. The names of the persons holding the seats as of June 30, 2010 are as follows:

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Barbara Carlson | New Ulm, MN | LADC | Professional | 6.28.2006 | 6.22.2010 |
| Marlae Cox-Kolek | Mankato, MN | LADC | Professional | 3.16.2009 | |
| Freddie Davis-English | Plymouth, MN | | Public | 4.28.2005 | 3.16.2009 |
| Douglas Frisk | New Brighton, MN | | Public | 6.14.2004 | 7.28.2008 |
| Judi Gordon | St. Paul, MN | LADC | Professional | 4.28.2005 | 3.16.2009 |
| Yvonne Hundshamer | St. Paul, MN | | Public | 6.22.2010 | |
| Kristen Piper | St. Louis Park, MN | LPC | Professional | 6.28.2006 | 6.22.2010 |
| Duane Reynolds | New Hope, MN | LADC | Professional | 6.14.2004 | 7.28.2008 |
| Walter Roberts, Jr. | North Mankato, MN | LPC | Professional | 6.14.2004 | 7.28.2008 |
| Nicholas Ruiz | Inver Grove Heights, MN | LPC | Professional | 11.21.2003 | 7.28.2008 |
| Robert Schmillen | Granite Falls, MN | LADC | Professional | 3.16.2009 | |
| Judy Sherwood | St. Paul, MN | LPC | Professional | 8.4.2008 | |
| Nona Wilson | St. Cloud, MN | LPC | Professional | 1.31.2006 | 3.16.2009 |

The BBHT was created in 2003 and it regulates professional counselors and alcohol and drug counselors in Minnesota. Professional counselors are master's level mental health counselors employed in a variety of settings who provide mental health counseling services to adults, families, and children in Minnesota. Alcohol and drug counselors provide counseling services to persons relative to the abuse of or the dependency on alcohol or other drugs.

Since its creation, the Board has struggled with complex regulatory requirements, budget issues, and a staffing level that is barely able to provide good customer service and quality protection to the public. Despite these challenges, the Board has successfully moved forward with legislation to improve licensure processes, has instituted office policies and procedures to keep administrative expenses at a minimum, and has developed regulatory processes that are efficient and cost effective. If revenue estimates are realized, both programs will be out of debt by 2015.

With the help of the Legislature, changes were made in 2004, 2005, 2007, and 2009 to set fees, streamline licensing requirements, create a clinical level of professional counselor licensure, and define LPCCs as mental health professionals. The

first LPC licenses were issued in June 2004. Through the rulemaking process the board adopted 4 sets of rules related to license renewal, continuing education, supervision, and professional conduct. The rules were adopted by the summer of 2005 and expedited rules clarifying continuing education requirements were adopted in 2006. The Board plans to pursue legislation in 2011 that will improve the regulation and licensure process for LADCs.

In 2006 the Board participated in a task force ordered by the legislature to make recommendations on common licensing standards for mental health professionals. The task force report was issued on January 15, 2007, and the LPCC license was created that same year and is based on recommendations in that report. The first LPCC licenses were issued in March 2008. Since licensure was created LPCs and LPCCs have struggled for recognition, employment, and reimbursement despite the rigorous education and supervision standards they have to meet to obtain licensure. Unfortunately, legislation to make LPCCs mental health professionals failed in 2007 and 2008 preventing them from being Medical Assistance program providers. On May 15, 2009, Governor Pawlenty signed into law a bill making LPCCs mental health professionals. Effective January 1, 2010, the Minnesota Department of Human Services received federal approval for the Medicaid State Plan Amendment making LPCCs eligible for reimbursement for services provided to Medical Assistance and MinnesotaCare clients.

Similar to the other health licensing boards, the BBHT is funded through fees paid by applicants and licensees which are deposited in the Special Revenue Fund. The BBHT base budgets are small: a $144,000 annual budget for the LPC program; and a $250,000 annual budget for the LADC program. The majority of the budgets are used for staff salaries, office rent, equipment and supplies. In 2008, legislation was passed [Session Laws chapter 363, Art 18, section 5, subd. 1] requiring that $3.219 million be transferred from the Special Revenue Fund to the General Fund to fund other programs. The BBHT share was $90,000 even though the BBHT does not have a positive balance in the Special Revenue Fund. This loss of funds is crippling to a small board like BBHT which has worked so diligently to be fiscally responsible and to retire its debts. Legislation passed in 2010 resulted in several million more dollars being transferred from the Special Revenue Fund to the General Fund to fund other programs. The seizing of Special Revenue Fund resources to fund other programs reduces the ability of health licensing boards to protect the public, does not serve the licensees who pay the fees to regulate their professions, and may increase costs for consumers who receive services from licensed health professionals.

The goals of the Board in the next five years include retiring program debt, utilizing its website and online services to improve the efficiency of regulation and licensing processes, and maintaining an adequate staffing level of skilled personnel to provide high quality services to applicants, licensees, and the public.

Minnesota Board of Cosmetologist Examiners

## A. Non Health Board Biennial Report

Minnesota Board of Cosmetologist Examiners
Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010** | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| Licensed: 40,000+ | Type<br>Cosmetologist:<br>Esthetician:<br>Manicurist:<br>Cosmetologist Manager:<br>Esthetician Manager:<br>Manicurist Manager:<br>Cosmetologist Instructor:<br>Esthetician Instructor:<br>Manicurist Instructor:<br>School Manager:<br>Other<br>*Cosmetologist Salon:*<br>*Esthetician Salon:*<br>*Manicurist Salon:*<br>*School:*<br><br>**BY CATEGORY**<br>Operator:<br>Manager:<br>Instructor:<br>Other:<br>Salon:<br>Schools: | Number<br>4,981<br>511<br>1,103<br>4,909<br>117<br>432<br>160<br>3<br>2<br>46<br>500<br>*1,696*<br>*71*<br>*195*<br>*51*<br><br><br>18,117<br>15,857<br>460<br>500<br>5,195<br>17 | **# / Per Cent [list by type; if unavailable by type, list total only]**<br><br><br>**Total 33%** |

| Total Number of persons licensed or registered as of June 30, 2009 | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2009** | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2009 | |
|---|---|---|---|
| 35,000+ | Type<br>Cosmetologist:<br>Esthetician:<br>Manicurist:<br>Cosmetologist Manager:<br>Esthetician Manager:<br>Manicurist Manager:<br>Cosmetologist Instructor:<br>Esthetician Instructor:<br>Manicurist Instructor:<br>School Manager:<br>Other<br>*Cosmetologist Salon:*<br>*Esthetician Salon:*<br>*Manicurist Salon:*<br>*School:* | Number<br>4,944<br>550<br>968<br>4,943<br>96<br>436<br>162<br>12<br>3<br>54<br><br>1,766<br>64<br>183<br>9 | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: 13%** |

| Total Number of persons licensed or registered as of June 30, 2008 | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008** | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008<br>[by type, if available] | |
|---|---|---|---|
| 31,000+ | Type<br>Cosmetologist/Esthetician/ Manicurist:<br><br>Cosmetologist Manager/ Esthetician/ Manicurist/ School Manager:<br><br>Cosmetologist/Esthetician/Manicurist Instructor:<br><br>Cosmetologist/Esthetician/Manicurist Salon:<br><br>School: | Number<br>5,197<br><br>5,230<br><br>119<br><br>2,114<br><br>15 | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: Not Available** |

| Total Number of persons licensed or registered as of June 30, 2007 | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007** | | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2007 |
|---|---|---|---|
| 30,000+ | Type<br>Cosmetologist/Esthetician/ Manicurist:<br><br>Cosmetologist Manager/ Esthetician/<br>Manicurist/ School Manager:<br><br>Cosmetologist/Esthetician/ Manicurist Instructor:<br><br>Cosmetologist/Esthetician/ Manicurist Salon:<br><br>School: | Number | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: Not Available** |

| Total Number of persons licensed or registered as of June 30, 2006 | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006** | | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 |
|---|---|---|---|
| 32,000+ | Type<br>Cosmetologist/Esthetician/ Manicurist:<br><br>Cosmetologist Manager/ Esthetician/<br>Manicurist/ School Manager:<br><br>Cosmetologist/Esthetician/ Manicurist Instructor:<br><br>Cosmetologist/Esthetician/ Manicurist Salon:<br><br>School: | Number | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: Not Available** |

Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 107 Total Complaints<br><br>95 Jurisdictional<br>12 Non-Jurisdictional<br><br>79 Public Safety Related<br>28 Other | Not Available for online submission, but can email, fax or mail. |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 55 Total Complaints<br><br>47 Jurisdictional<br>8 Non Jurisdictional<br><br>39 Public Safety Related<br>16 Other | Not Available for online submission, but can email, fax or mail. |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 54 Total Complaints (Barber and Cosmetology Combined) | Not Available for online submission, but can email, fax or mail. |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 48 Total Complaints (Barber and Cosmetology Combined) | Not Available for online submission, but can email, fax or mail. |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 36 Total Complaints (Barber and Cosmetology Combined) | Not Available for online submission, but can email, fax or mail. |

Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or<br>> One year] |
|---|---|
| 63 Complaints Closed | 44 Open Complaints |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009<br>[listed by < one year or<br>> One year] |
|---|---|
| 25 Complaints Closed | 30 Open Complaints |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or<br>> One year] |
|---|---|
| 15 Closed Complaints | 19 Open Complaints |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007<br>[listed by < one year or<br>> One year] |
|---|---|
| 39 Complaints Closed | 9 Open Complaints |

2006 unavailable

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2010 |
|---|---|
| Initial Operator: $90.00<br>Operator Renewal: $60.00<br>Initial Salon Manager: $120.00<br>Manager Renewal: $90.00<br>Initial Instructor: $120.00<br>Instructor Renewal: $90.00<br>Initial School Manager: $120.00<br>School Manager Renewal: $90.00<br>Salon License: $130.00<br>Salon Renewal: $100.00<br>School License: $1,500.00<br>Salon Renewal: $100.00<br>Certificate of Identification: $20.00<br>Hair braiding Registration: $20.00 | Receipts: $1,376,099<br>Disbursements: $691,000 |

| Fees 2009 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2009 |
|---|---|
| Initial Operator: $90.00<br>Operator Renewal: $60.00<br>Initial Salon Manager: $120.00<br>Manager Renewal: $90.00<br>Initial Instructor: $120.00<br>Instructor Renewal: $90.00<br>Initial School Manager: $120.00<br>School Manager Renewal: $90.00<br>Salon License: $130.00<br>Salon Renewal: $100.00<br>School License: $1,500.00<br>Salon Renewal: $100.00<br>Certificate of Identification: $20.00<br>Hair braiding Registration: $20.00 | Receipts: $1,284,558<br>Disbursements: $561,000 |

| Fees 2008 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2008 |
|---|---|
| Initial Operator: $90.00<br>Operator Renewal: $60.00<br>Initial Salon Manager: $120.00<br>Manager Renewal: $90.00<br>Initial Instructor: $120.00<br>Instructor Renewal: $90.00<br>Initial School Manager: $120.00<br>School Manager Renewal: $90.00<br>Salon License: $130.00<br>Salon Renewal: $100.00<br>School License: $1,500.00<br>Salon Renewal: $100.00<br>Certificate of Identification: $20.00<br>Hair braiding Registration: $20.00 | Receipts: $1,244,450<br>Disbursements: $524,000 |

| Fees 2007 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2007 |
|---|---|
| Initial Operator: $90.00<br>Operator Renewal: $60.00<br>Initial Salon Manager: $120.00<br>Manager Renewal: $90.00<br>Initial Instructor: $120.00<br>Instructor Renewal: $90.00<br>Initial School Manager: $120.00<br>School Manager Renewal: $90.00<br>Salon License: $130.00<br>Salon Renewal: $100.00<br>School License: $1,500.00<br>Salon Renewal: $100.00<br>Certificate of Identification: $20.00<br>Hair braiding Registration: $20.00 | Receipts: $1,190,030<br>Disbursements: $569,000 |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2006 |
|---|---|
| Initial Operator: $90.00<br>Operator Renewal: $60.00<br>Initial Salon Manager: $120.00<br>Manager Renewal: $90.00<br>Initial Instructor: $120.00<br>Instructor Renewal: $90.00<br>Initial School Manager: $120.00<br>School Manager Renewal: $90.00<br>Salon License: $130.00<br>Salon Renewal: $100.00<br>School License: $1,500.00<br>Salon Renewal: $100.00<br>Certificate of Identification: $20.00<br>Hair braiding Registration: $20.00 | Receipts: $1,242,459<br>Disbursements: $409,645 |

Board Members

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Reappointment |
|---|---|---|---|---|
| Laurie Boggess | Minnetonka | Cosmetologist | Professional | July 1, 2009 |
| Kurt Deile | Andover | Attorney | Public | July 1, 2009 |
| Mary Finnegan | Aitkin | Esthetician | Professional | July 1, 2009 |
| Robert Salmonson | Rice | Cosmetologist | Professional | July 1, 2009 |

| | |
|---|---|
| a. General statement of board activities (Part 1, A) | Mission Statement: The Board's core mission is to constantly strive to serve and care for our licensees, applicants, and the public by being committed to public protection, superior service, excellence, and continuous improvement.<br><br>Vision Statement: The Board is dedicated to public protection while encouraging industry development. The Board believes that leading with a vision and making sound decisions results in quality outcomes and successful operations.<br><br>**<u>Major Board Functions</u>**<br><br>**Licensing Division – Responsible for credential over 14 different license types to ensure each applicant has me the requisite education and competence required to practice cosmetology or to operate a cosmetology salon or school.**<br>o Set cosmetology licensure requirements through the rules process.<br>o Review individual applicant/licensee documentation to determine if they have completed the appropriate requirements for the license type they are obtaining.<br>o Review and approve continuing education provider applications and programs.<br>o Review academic programs to determine if they meet requirements to prepare students for cosmetology careers.<br><br>**Inspection Division – Responsible to inspect all licensed salons and schools in the state to ensure public safety is met and salons are demonstrating sanitation and disinfection practices that adhere to statutes and rules regulation as well as practice standards.**<br>o Inspect all salons located in the state of Minnesota to ensure compliance with all state statues and rules relating to delivery of cosmetology services to the public.<br>o Inspect all individuals working in salons in the state of Minnesota to ensure compliance with the state statues and rules relating to cosmetology and proper licensure.<br>o Inspect all cosmetology schools located in the state of Minnesota to ensure compliance with all state statues and rules relating the education of future cosmetologist. |
| | 23 |

**Compliance Division – Responsible to investigate complaints and take action against cosmetologist, salons, or schools that violate laws and rules the Board is empowered to enforce.**

- Accept complaints and reports from the public.
- Determining whether the complaint is properly submitted and if the Board has jurisdiction, and if so, what type of action is needed.
- Refer inquires and complaints to inspectors, investigators, complaint committees, and other agencies, if necessary.
- Respond to complainants and agency reports by informing the complainants of action taken to resolve their complaints, while observing provisions of the data practices act regarding the legal status of data obtained during the course of an investigation and disciplinary proceedings.

**Administrative Division – Responsible to organize and manage the other three divisions to work in harmony to accomplish the goals, mission, and vision of the Board in order to protect the health and safety of the public.**

- Provide information to the public and applicants concerning requirements for licensure including an online license look-up system.

- Improve the practice of cosmetology by providing information to licensees to prevent inappropriate practice.

b. Number of Board meetings and hours spent on meetings and activity:

12 Board Meeting during Biennium. Each Board meeting is approximately 4 hours.

Complaint Meetings during Biennium. Each Complaint meeting is approximately 3 hours.

c. Receipts and disbursements See above section.

d. Board Members See above section.

e. Board Employees

Gina Stauss Fast, Executive Director
Rebecca Gaspard, Compliance Program Manager
Billi Jo Rygg, Licensing Program Manager
Diane Anderson, Inspector
Sue Block, Licensing Assistant
James Dubois, Licensing Assistant
Claudia Ettesvold, Licensing Assistant
Christine Goanue, Licensing and Complaint Assistant
Raeoun Jacobson, Inspector
Lene Kiser (Jensen), Compliance Coordinator
Nancy Mayberry, Receptionist
Maggie Meyer, Student Worker
Sheila Peter, Licensing Assistant
Frank Weiland, Inspector

f. Rules proposed and adopted during reporting period None.

g. Number of licensees by type See above section.

h. the locations and dates of the administration of examinations by the board;

Examinations are administered daily in Duluth, Rochester, Edina, Willmar, and West Fargo, ND.

i. Demographic breakdown of persons examined Not Available

j. Demographic breakdown of persons licensed after examination Not Available

k. Demographic breakdown of persons not licensed after examination Not Available

L. Demographic breakdown of persons who were licensed or denied licenses after application who were not examined : None.

m. the number of persons previously licensed or registered by the board whose licenses or registrations were revoked, suspended, or otherwise altered in status with brief statements of the reasons for the revocation, suspension or alteration; 63 Licensees and/or Applicants. All final disciplinary action can be found online at www.bceboard.state.mn.us under "Complaints and Enforcement Action."

n. Number of written and oral complaints received by the board members and staff See above section.

o. A summary of the afore mentioned complaints by specific category, their substance and the reaction or disposition of the board in response See above section.

The Board's core mission is to constantly strive to serve and care for our licensees, applicants, and the public by being committed to public protection, superior service, excellence, and continuous improvement.

The BCE is dedicated to make all applications, forms, information available online. The BCE is daily updating the website to provide the most comprehensive information possible to applicants, licensees, and the public. Some features included online are; renewing online; sanitation procedures in English and Vietnamese, enterable-PDF applications, license lookup, inspection reports, and BCE news.

**Minnesota Board of Chiropractic Examiners**
**Number and Type of Credentials Issued or Renewed**

**July 1, 2009 to June 30, 2010**

| Total Number of Persons licensed or registered as of June 30, 2010 | Number and Type of Credentials **Issued or Renewed** during biennium fiscal year ending June 30, 2010 | | | Number and Per Cent of Credentials **Renewed Online** during biennium ending June 30, 2010 | | | |
|---|---|---|---|---|---|---|---|
| | Type | Annual 09-10 Renewed | Issued | **FORM ONLINE** # | % | **FEES ONLINE** # | % |
| 2816 | Doctor of Chiropractic (DC) License | 2715 | 158 | 2393 | 89% | 2290 | 85% |
| 631 | Acupuncture Registration | 624 | 23 | 534 | 86% | 499 | 80% |
| 20 | Animal Chiropractic Registration | 20 | 0 | n/a | n/a | n/a | n/a |
| 51 | Independent Examiner Registration | 48 | 7 | 40 | 84% | 37 | 77% |
| 665 | Professional Firm Registration | 614 | 68 | 522 | 85% | 529 | 87% |
| 34 | Graduate Preceptor Registration | n/a | 18 | n/a | n/a | n/a | n/a |
| **Totals 4217** | | **4021** | **274** | **3489** | **87%** | **3355** | **84%** |

**July 1, 2008 to June 30, 2009**

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials **Issued or Renewed** during biennium fiscal year ending June 30, 2009 | | | Number and Type of Credentials **Renewed Online** during biennium ending June 30, 2009 | | | |
|---|---|---|---|---|---|---|---|
| | Type | Annual 08-09 Renewed | Issued | **FORM ONLINE** # | % | **FEES ONLINE** # | % |
| 2750 | Doctor of Chiropractic (DC) License | 2665 | 115 | 2356 | 89% | 2224 | 84% |
| 627 | Acupuncture Registration | 620 | 22 | 539 | 87% | | |
| 12 | Animal Chiropractic Registration | 12 | 0 | n/a | n/a | 504 | 82% |
| 49 | Independent Examiner Registration | 49 | 3 | 40 | 82% | n/a | n/a |
| 623 | Professional Firm Registration | 589 | 68 | 545 | 93% | 38 | 78% |
| 28 | Graduate Preceptor Registration | n/a | 16 | n/a | n/a | 500 | 85% |
| | | | | | | n/a | n/a |
| **Totals 4089** | | **3935** | **224** | **3480** | **89%** | **3266** | **83%** |

**July 1, 2007 to June 30, 2008**

**July 1, 2006 to June 30, 2007**

| Total # of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials **Issued or Renewed** during biennium fiscal year ending June 30, 2007 | | | Number and Type of Credentials **Renewed Online** during biennium ending June 30, 2007 | | | |
|---|---|---|---|---|---|---|---|
| | Type | Annual 06-07 | | **FORM ONLINE** | | **FEES ONLINE** | |
| | | Renewed | Issued | # | % | # | % |
| 2613 | Doctor of Chiro- | 2517 | 134 | 2144 | 86% | 2009 | 80% |
| 600 | practic (DC) | 591 | 19 | 486 | 83% | 441 | 75% |
| 0 | License | 0 | 0 | n/a | n/a | n/a | n/a |
| 55 | Acupuncture | 54 | 1 | 46 | 86% | 41 | 76% |
| 538 | Registration | 494 | 70 | 432 | 88% | 406 | 83% |
| 22 | Animal Chiro-practic Registration | n/a | 11 | n/a | n/a | n/a | n/a |
| | Independent Examiner Registration | | | | | | |
| | Professional Firm Registration | | | | | | |
| | Graduate Preceptor Registration | | | | | | |
| **Totals 3827** | | **3656** | **235** | **3108** | **85%** | **2897** | **80%** |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials **Issued or Renewed** during biennium fiscal year ending June 30, 2006 | | | Number and Type of Credentials **Renewed Online** during biennium ending June 30, 2006 | | | |
|---|---|---|---|---|---|---|---|
| | Type | Annual 05-06 Renewed | Issued | **FORM ONLINE** # | % | **FEES ONLINE** # | % |
| 2560 | Doctor of Chiropractic (DC) License | 2474 | 129 | 2055 | 83% | 1824 | 74% |
| 600 | Acupuncture Registration | 589 | 20 | 489 | 83% | 418 | 71% |
| 0 | Animal Chiropractic Registration | 0 | 0 | n/a | n/a | n/a | n/a |
| 61 | Independent Examiner Registration | 61 | 2 | 54 | 89% | 45 | 74% |
| 487 | Professional Firm Registration | 447 | 60 | 341 | 77% | 347 | 78% |
| 19 | Graduate Preceptor Registration | n/a | 9 | n/a | n/a | n/a | n/a |
| **Totals 3727** | | **3571** | **220** | **2939** | **83%** | **2634** | **74%** |

The Minnesota Board of Chiropractic Examiners issues one license: the Doctor of Chiropractic (DC) license. In addition to this a DC may obtain a registration in Acupuncture, Animal Chiropractic, Independent Examiner, Professional Firm and Graduate Preceptor; however these registrations are contingent upon an active and good-standing DC license and any services provided under such registrations must be to prepare for or complement Chiropractic adjustment and not provided as solitary service to patients. The registration for Animal Chiropractic was first established in this past biennium.

The MN Board of Chiropractic Examiners began using the Online Renewal System in the year 2000. MBCE was the first health-related licensing board to utilize an online renewal system in Minnesota. As shown above, the percentage of usage has steadily increased.

**Minnesota Board of Chiropractic Examiners**
**Number of Complaints Received**

| Number of Complaints Received in biennium fiscal year ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| July 1, 2009 to June 30, 2010<br>142 complaints were opened | The Chiropractic Board does not track this. The number would be very low, i.e. less than 10% |

| Number of Complaints Received in biennium fiscal year ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| July 1, 2008 to June 30, 2009<br>272 complaints were opened | The Chiropractic Board does not track this. The number would be very low, i.e. less than 10% |

| Number of Complaints Received in biennium fiscal year ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| July 1, 2007 to June 30, 2008<br>169 complaints were opened | The Chiropractic Board does not track this. The number would be very low, i.e. less than 10% |

| Number of Complaints Received in biennium fiscal year ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| July 1, 2006 to June 30, 2007<br>176 complaints were opened | The Chiropractic Board does not track this. The number would be very low, i.e. less than 10% |

| Number of Complaints Received in biennium fiscal year ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| July 1, 2005 to June 30, 2006<br>185 complaints were opened | The Chiropractic Board does not track this. The number would be very low, i.e. less than 10% |

The majority of cases require a signed waiver from the complainant if it will be necessary for the licensee to respond to specific practice or patient related allegations or if we need to obtain patient records. We do not have the ability at this time to accept electronic signature, keeping at least part of the complaint process in paper versus online format.

Allegations per year by TYPE*

| Allegation | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|---|---|---|---|---|
| Acupuncture violations | 4 | 3 | 4 | 1 | 0 |
| Address/phone change failure to notify Board | 1 | 0 | 1 | 2 | 2 |
| Advertising | 51 | 22 | 51 | 86 | 24 |
| Aiding or abetting unlicensed practice, & delegating | 4 | 4 | 4 | 22 | 1 |
| Application disclosure (DWI, conviction, etc.) | 14 | 4 | 14 | 14 | 15 |
| Billing dispute | 3 | 2 | 3 | 13 | 7 |
| Conviction of a crime of moral turpitude or felony | 10 | 10 | 10 | 10 | 3 |
| Disciplinary action in another state/jurisdiction | 2 | 2 | 2 | 4 | 2 |
| Exercising influence on a patient or client for financial gain | 9 | 17 | 8 | 24 | 22 |
| Failure to make a report or cooperate w/investigation | 1 | 1 | 1 | 21 | 4 |
| Fraud-deception in applying for a license | 1 | 1 | 1 | 0 | 0 |
| Graduate Preceptorship program violation | 1 | 0 | 1 | 0 | 3 |
| Gross or repeated mal practice | 11 | 8 | 11 | 12 | 7 |
| Habitual intemperance in alcohol or drugs | 13 | 8 | 13 | 11 | 13 |
| HPSP violation, noncompliance | 3 | 1 | 3 | 2 | 1 |
| Independent exams, false or misleading | 0 | 3 | 0 | 8 | 5 |
| Improper management of records (lost or release of) | 5 | 11 | 6 | 13 | 6 |
| Other, not chiropractic, i.e. taxes, child support, federal law | 9 | 7 | 9 | 20 | 8 |
| Petition for end of discipline | 4 | 7 | 4 | 3 | 10 |
| Practice outside scope | 3 | 4 | 3 | 4 | 4 |
| Practicing w/o a license, revoked, suspended, prior to licensure, etc. | 8 | 7 | 8 | 12 | 11 |
| Professional corporation registration violation | 3 | 4 | 3 | 4 | 1 |
| Poor recordkeeping-documentation of care | 5 | 10 | 5 | 9 | 9 |
| Splitting fees, runners, cappers | 3 | 0 | 3 | 21 | 4 |
| Unable to practice illness, incompetence, drugs, etc | 7 | 9 | 7 | 9 | 6 |
| Unethical practices, runners making direct contact-new law | 0 | 0 | 0 | 30 | 5 |
| Unprofessional conduct, unethical or deceptive practices | 8 | 4 | 8 | 17 | 12 |
| Unprofessional, sexual misconduct | 5 | 8 | 5 | 9 | 11 |
| Unprofessional, providing unnecessary services | 1 | 6 | 1 | 5 | 2 |
| Unprofessional, charging unconscionable fees | 8 | 7 | 8 | 20 | 10 |
| Unprofessional, threatening or dishonest fee collection | 5 | 10 | 4 | 19 | 21 |
| Unprofessional, fraud on patients or insurance | 4 | 4 | 4 | 9 | 11 |
| Unprofessional, waving deductible or co-pay | 1 | 0 | 1 | 2 | 0 |
| Violation of a Board Order | 2 | 2 | 2 | 8 | 5 |

* Many complaints have more than one allegation, i.e. application disclosure and DWI: or billing dispute and fraudulent or misleading billing practices and exploiting patient; or unlicensed practice and violation of Board order. The allegations may also not be related to each other, i.e. poor records, and habitual intemperance of alcohol.

## Minnesota Board of Chiropractic Examiners
## Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium fiscal year ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 [listed by < one year or > one year] |
|---|---|
| There were 200 complaints closed in this year and of those 21 resulted in a Board Action | There were 106 complaints open at the end of this year. Of those 23 were older than 1 year, representing only 12 licensees. Therefore 83 were open for less than a year representing 63 licensees. |

| Number of Complaints Closed in biennium fiscal year ending June 30, 2009 | Number of Complaints Open as of June 30, 2009 [listed by < one year or > one year] |
|---|---|
| There were 216 complaints closed in this year and of those 12 resulted in a Board Action | There were 204 complaints open at the end of this year.<br>Due to limitations of the licensing system, information regarding the period of time complaints were open in previous fiscal years in not available. |

| Number of Complaints Closed in biennium fiscal year ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 [listed by < one year or > one year] |
|---|---|
| There were 172 complaints closed in this year and of those 13 resulted in a Board Action. | There were 155 complaints open at the end of this year.<br>Due to limitations of the licensing system, information regarding the period of time complaints were open in previous fiscal years in not available. |

| Number of Complaints Closed in biennium fiscal year ending June 30, 2007 | Number of Complaints Open as of June 30, 2007 [listed by < one year or > one year] |
|---|---|
| There were 164 complaints closed in this year and of those 11 resulted in a Board Action. | There were 166 complaints open at the end of this year.<br>Due to limitations of the licensing system, information regarding the period of time complaints were open in previous fiscal years in not available. |

| Number of Complaints Closed in biennium fiscal year ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 [listed by < one year or > one year] |
|---|---|
| There were 170 complaints closed in this year and of those 13 resulted in a Board Action. | There were 161 complaints open at the end of this year.<br>Due to limitations of the licensing system, information regarding the period of time complaints were open in previous fiscal years in not available. |

The total number of complaints tends to stay fairly consistent with minor fluctuations, but the number of Board Actions (both disciplinary and corrective) has risen in the recent years. Also recent Board actions are tending toward financial exploitation of patients more than in the past. This type of allegation requires a more detailed record analysis to prove a violation than an allegation regarding advertising, impairment or sexual misconduct, thus being a greater drain on the Board's resources.

**Minnesota Board of Chiropractic Board**
**Receipts, Disbursements and Major Fees**

| Fees & Receipts - July 1, 2009 to June 30, 2010 | | | |
|---|---|---|---|
| **Fee Type** | **Amount of Fee $** | **Total $ Received** | **Terms** |
| Professional Firm Renewal | 25.00 | 22,515.00 | annual |
| Exam / Applicant Fee | 250.00 | 45,250.00 | upon application |
| Exam Regrade | 30.00 | 0 | as needed |
| Graduate Preceptorship | 100.00 | 3,200.00 | upon request |
| Active DC License Renewal | 200.00 | 510,000.00 | annual |
| Renewal Penalty Fee | 150.00 | 16,320.00 | accrued monthly |
| Inactive DC License Renewal | 150.00 | 23,250.00 | annual |
| Inactive DC Reinstatement | 100.00 | 500.00 | upon request |
| Independent Examiner Registration | 150.00 | 1,150.00 | upon request |
| Independent Examiner Renewal | 100.00 | 4,850.00 | annual |
| Acupuncture Registration | 100.00 | 2,750.00 | upon request |
| Acupuncture Renewal (Active or Inactive) | 25.00 or 50.00 | 31,175.00 | annual |
| Disciplinary Fee / Civil Penalty | up to 10,000.00 | 26,775.94 | as assessed |
| Printing of Board Orders | 10.00 | 10.00 | upon request |
| Continuing Education Sponsorship | 100.00 or 500.00 | 17,000.00 | upon application |
| Certificate of Standing or License Verification | 10.00 | 840.00 | upon request |
| Printing of Lawbooks | 10.00 | 0 | upon request |
| Lists of Chiropractors (partial or complete) | 10.00 or 100.00 | 3,500.00 | upon request |
| Printing of Miscellaneous Items | .25 / page | 504.25 | upon request |
| Prior Year Renewals | 150.00 or 200.00 | 6,825.00 | upon request |
| Prior Year Penalty Fee | 150.00 | 840.00 | accrued monthly |
| Continuing Education Audit Penalty | 900.00 | 58,500.00 | as assessed |
| **Subtotal Receipts** | **---** | **775,755.19** | **---** |
| **OET E-Licensing Surcharge** | **---** | **(57,770.00)** | **---** |
| **TOTAL RECEIPTS** | **---** | **$717,985.19** | **---** |

| Fees & Receipts - July 1, 2008 to June 30, 2009 | | | |
|---|---|---|---|
| **Fee Type** | **Amount of Fee $** | **Total $ Received** | **Terms** |
| Professional Firm Renewal | 25.00 | 21,620.00 | annual |
| Exam / Applicant Fee | 250.00 | 30,500.00 | upon application |
| Exam Regrade | 30.00 | 0 | as needed |
| Graduate Preceptorship | 100.00 | 2,800.00 | upon request |
| Active DC License Renewal | 200.00 | 500,900.00 | annual |
| Renewal Penalty Fee | 150.00 | 14,540.00 | accrued monthly |
| Inactive DC License Renewal | 150.00 | 25,600.00 | annual |
| Inactive DC Reinstatement | 100.00 | 800.00 | upon request |
| Independent Examiner Registration | 150.00 | 600.00 | upon request |
| Independent Examiner Renewal | 100.00 | 4,800.00 | annual |
| Acupuncture Registration | 100.00 | 2,250.00 | upon request |
| Acupuncture Renewal (Active or Inactive) | 25.00 or 50.00 | 30,950.00 | annual |
| Disciplinary Fee / Civil Penalty | up to 10,000.00 | 15,529.93 | as assessed |
| Printing of Board Orders | 10.00 | 10.00 | upon request |
| Continuing Education Sponsorship | 100.00 or 500.00 | 16,100.00 | upon application |
| Certificate of Standing or License Verification | 10.00 | 1,090.00 | upon request |
| Printing of Lawbooks | 10.00 | 50.00 | upon request |
| Lists of Chiropractors (partial or complete) | 10.00 or 100.00 | 3,950.00 | upon request |
| Printing of Miscellaneous Items | .25 / page | 371.50 | upon request |
| Prior Year Renewals | 150.00 or 200.00 | 1,400.00 | upon request |
| Prior Year Penalty Fee | 150.00 | 750.00 | accrued monthly |
| Continuing Education Audit Penalty | 900.00 | 25,050.00 | as assessed |
| **TOTAL RECEIPTS** | **---** | **699,661.43** | **---** |

| Fees & Receipts - July 1, 2007 to June 30, 2008 | | | |
|---|---|---|---|
| **Fee Type** | **Amount of Fee $** | **Total $ Received** | **Terms** |
| Professional Firm Renewal | 25.00 | 19,550.25 | annual |
| Exam / Applicant Fee | 250.00 | 36,000.00 | upon application |
| Exam Regrade | 30.00 | 0.00 | as needed |
| Graduate Preceptorship | 100.00 | 3,500.00 | upon request |
| Active DC License Renewal | 200.00 | 493,700.00 | annual |
| Renewal Penalty Fee | 150.00 | 15,325.00 | accrued monthly |
| Inactive DC License Renewal | 150.00 | 24,900.00 | annual |
| Inactive DC Reinstatement | 100.00 | 900.00 | upon request |
| Independent Examiner Registration | 150.00 | 600.00 | upon request |
| Independent Examiner Renewal | 100.00 | 5,000.00 | annual |
| Acupuncture Registration | 100.00 | 3,550.00 | upon request |
| Acupuncture Renewal (Active or Inactive) | 25.00 or 50.00 | 29,675.00 | annual |
| Disciplinary Fee / Civil Penalty | up to 10,000.00 | 1,659.98 | as assessed |
| Printing of Board Orders | 10.00 | 40.00 | upon request |
| Continuing Education Sponsorship | 100.00 or 500.00 | 18,500.00 | upon application |
| Certificate of Standing or License Verification | 10.00 | 1,100.00 | upon request |
| Printing of Lawbooks | 10.00 | 40.00 | upon request |
| Lists of Chiropractors (partial or complete) | 10.00 or 100.00 | 6,015.00 | upon request |
| Printing of Miscellaneous Items | .25 / page | 888.20 | upon request |
| Prior Year Renewals | 150.00 or 200.00 | 3,625.00 | upon request |
| Prior Year Penalty Fee | 150.00 | 2,190.00 | accrued monthly |
| Continuing Education Audit Penalty | 900.00 | 11,700.00 | as assessed |
| **TOTAL RECEIPTS** | **---** | **678,458.43** | **---** |

| Fees & Receipts - July 1, 2006 to June 30, 2007 | | | |
|---|---|---|---|
| **Fee Type** | **Amount of Fee $** | **Total $ Received** | **Terms** |
| Professional Firm Renewal | 25.00 | 20,120.00 | annual |
| Exam / Applicant Fee | 250.00 | 37,000.00 | upon application |
| Exam Regrade | 30.00 | 0 | as needed |
| Graduate Preceptorship | 100.00 | 2,200.00 | upon request |
| Active DC License Renewal | 200.00 | 471,548.50 | annual |
| Renewal Penalty Fee | 150.00 | 12,660.00 | accrued monthly |
| Inactive DC License Renewal | 150.00 | 25,800.00 | annual |
| Inactive DC Reinstatement | 100.00 | 600.00 | upon request |
| Independent Examiner Registration | 150.00 | 1,200.00 | upon request |
| Independent Examiner Renewal | 100.00 | 5,350.00 | annual |
| Acupuncture Registration | 100.00 | 2,250.00 | upon request |
| Acupuncture Renewal (Active or Inactive) | 25.00 or 50.00 | 29,175.00 | annual |
| Disciplinary Fee / Civil Penalty | up to 10,000.00 | 44,587.73 | as assessed |
| Printing of Board Orders | 10.00 | 10.00 | upon request |
| Continuing Education Sponsorship | 100.00 or 500.00 | 16,900.00 | upon application |
| Certificate of Standing or License Verification | 10.00 | 1,060.00 | upon request |
| Printing of Lawbooks | 10.00 | 0 | upon request |
| Lists of Chiropractors (partial or complete) | 10.00 or 100.00 | 5,150.00 | upon request |
| Printing of Miscellaneous Items | .25 / page | 435.00 | upon request |
| Prior Year Renewals | 150.00 or 200.00 | 4,000.00 | upon request |
| Prior Year Penalty Fee | 150.00 | 1,210.00 | accrued monthly |
| Continuing Education Audit Penalty | 900.00 | 14,400.00 | as assessed |
| credit card charge for online renewal | n/a | -5664.19 | upon usage |
| **TOTAL RECEIPTS** | **---** | **689,992.04** | **---** |

| Fees & Receipts - July 1, 2006 to June 30, 2007 | | | |
|---|---|---|---|
| **Fee Type** | **Amount of Fee $** | **Total $ Received** | **Terms** |
| Professional Firm Renewal | 25.00 | 20,120.00 | annual |
| Exam / Applicant Fee | 250.00 | 37,000.00 | upon application |
| Exam Regrade | 30.00 | 0 | as needed |
| Graduate Preceptorship | 100.00 | 2,200.00 | upon request |
| Active DC License Renewal | 200.00 | 471,548.50 | annual |
| Renewal Penalty Fee | 150.00 | 12,660.00 | accrued monthly |
| Inactive DC License Renewal | 150.00 | 25,800.00 | annual |
| Inactive DC Reinstatement | 100.00 | 600.00 | upon request |
| Independent Examiner Registration | 150.00 | 1,200.00 | upon request |
| Independent Examiner Renewal | 100.00 | 5,350.00 | annual |
| Acupuncture Registration | 100.00 | 2,250.00 | upon request |
| Acupuncture Renewal (Active or Inactive) | 25.00 or 50.00 | 29,175.00 | annual |
| Disciplinary Fee / Civil Penalty | up to 10,000.00 | 44,587.73 | as assessed |
| Printing of Board Orders | 10.00 | 10.00 | upon request |
| Continuing Education Sponsorship | 100.00 or 500.00 | 16,900.00 | upon application |
| Certificate of Standing or License Verification | 10.00 | 1,060.00 | upon request |
| Printing of Lawbooks | 10.00 | 0 | upon request |
| Lists of Chiropractors (partial or complete) | 10.00 or 100.00 | 5,150.00 | upon request |
| Printing of Miscellaneous Items | .25 / page | 435.00 | upon request |
| Prior Year Renewals | 150.00 or 200.00 | 4,000.00 | upon request |
| Prior Year Penalty Fee | 150.00 | 1,210.00 | accrued monthly |
| Continuing Education Audit Penalty | 900.00 | 14,400.00 | as assessed |
| credit card charge for online renewal | n/a | -5664.19 | upon usage |
| **TOTAL RECEIPTS** | **---** | **689,992.04** | **---** |

NOTE: In the receipts above, the negative balance for credit card clearing represents fees collected and paid to US Bank for the usage of the Online Renewal System. This does not reflect the total cost for each fiscal year to the Board or licensees for online renewal.

| Disbursements & Expenditures - July 1, 2009 to June 30, 2010 | |
|---|---|
| **Category** | **Total Amount $** |
| Salaries, Benefits, & Per Diems | 310,520.16 |
| Office Rental, Maintenance, Utilities | 41,564.32 |
| Computer, Communications, Printing & Advertising | 10,108.15 |
| Professional / Technical Services | 28,443.90 |
| Supplies & Equipment | 3,620.75 |
| Travel – In State & Out of State | 6,520.52 |
| Other Operating Costs | 8,970.33 |
| Legal Costs | 192,301.40 |
| Health Professionals Service Program (HPSP) | 13,606.55 |
| Unspecified Indirect Costs | 24,229.72 |
| **TOTAL** | **$639,885.80** |

| Disbursements & Expenditures - July 1, 2008 to June 30, 2009 | |
|---|---|
| **Category** | **Total Amount $** |
| Salaries, Benefits, & Per Diems | 329,634.52 |
| Office Rental, Maintenance, Utilities | 40,495.12 |
| Computer, Communications, Printing & Advertising | 11,151.78 |
| Professional / Technical Services | 14,357.41 |
| Supplies & Equipment | 19,506.74 |
| Travel – In State & Out of State | 8,483.17 |
| Other Operating Costs | 10,540.00 |
| Legal Costs | 143,833.10 |
| Health Professionals Service Program (HPSP) | 15,131.59 |
| Unspecified Indirect Costs | 34,282.17 |
| **TOTAL** | **627,415.60** |

| Disbursements & Expenditures - July 1, 2007 to June 30, 2008 | |
|---|---|
| **Category** | **Total Amount $** |
| Salaries, Benefits, & Per Diems | 347,167.51 |
| Office Rental, Maintenance, Utilities | 39,244.63 |
| Computer, Communications, Printing & Advertising | 10,914.47 |
| Professional / Technical Services | 9,740.69 |
| Supplies & Equipment | 5,768.99 |
| Travel – In State & Out of State | 9,230.10 |
| Other Operating Costs | 9,530.00 |
| Legal Costs | 140,061.10 |
| Health Professionals Service Program (HPSP) | 13,042.71 |
| Unspecified Indirect Costs | 29,611.91 |
| **TOTAL** | **614,312.11** |

| Disbursements & Expenditures - July 1, 2006 to June 30, 2007 | |
|---|---|
| **Category** | **Total Amount $** |
| Salaries, Benefits, & Per Diems | 334,824.43 |
| Office Rental, Maintenance, Utilities | 40,019.23 |
| Computer, Communications, Printing & Advertising | 16,185.99 |
| Professional / Technical Services | 36,199.64 |
| Supplies & Equipment | 13,399.25 |
| Travel – In State & Out of State | 10,006.42 |
| Other Operating Costs | 2,070.59 |
| Legal Costs | 117,913.30 |
| Health Professionals Service Program (HPSP) | 15,163.12 |
| Unspecified Indirect Costs | 29,086.89 |
| **TOTAL** | **614,868.86** |

| Disbursements & Expenditures<br>July 1, 2005 to June 30, 2006 | |
|---|---|
| **Category** | **Total Amount $** |
| Salaries, Benefits, & Per Diems | 329,434.81 |
| Office Rental, Maintenance, Utilities | 37,770.39 |
| Computer, Communications, Printing & Advertising | 13,289.94 |
| Professional / Technical Services | 1,345.50 |
| Supplies & Equipment | 6,403.74 |
| Travel – In State & Out of State | 10,921.30 |
| Other Operating Costs | 4,165.31 |
| Legal Costs | 75,484.50 |
| Health Professionals Service Program (HPSP) | 11,688.06 |
| Unspecified Indirect Costs | 28,975.06 |
| **TOTAL** | **$519,478.61** |

**Budget Trends:**
Direct expenditures include salaries, rent, costs for disciplinary/contested cases and operating expenditures. The board receives a direct appropriation for these costs. Indirect expenditures include costs of services received from the Attorney General's Office, Health Professional Services Program, and the Administrative Services Unit. The board is responsible for collecting sufficient revenue to cover both direct and indirect expenditures.

All receipts collected are deposited as non-dedicated revenue into the state government special revenue fund. Revenue is collected from fees charged to applicants, licensees, and sponsors of continuing education programs. The net difference between the board's expenses and revenues is maintained in the board's reserve funds which assist in covering costly contested cases, or as was the case in fiscal year 2010, these reserve funds are transferred by the Legislature to the state's general fund to cover non Board-related expenses.

NOTE: During FY 2011, the board is estimated to transfer funds from the state government special revenue fund to the general fund and to the Office of Enterprise Technology (OET) for a statewide electronic licensing system. This OET e-licensing surcharge was paid for out of the Board's receipts in fiscal year 2010. However, beginning FY 2011, legislation requires that the board collect the electronic licensing surcharge directly from licensees at a rate of 10% of their renewal fee or application fee. This will be transferred to OET in an amount estimated to be equal to or more than the FY 2010 transfer (see details above).

**External Factors Impacting Agency Operations:**
The number of licensees regulated by the Board continues to rise, as do the number of complaints and the complexity of the cases. The Board has not had to raise fees for 18 years (since early 1993) as a result of sound fiscal management, and creative solutions for reducing costs; however, the Board anticipates that it will need to increase fees in the upcoming biennium. This is due in large part to three influences: 1) the increase in number and complexity of complaints previously mentioned; 2) continued transfers of the Board's accumulated funds in the State Government Special Revenue Fund to the General Fund, totaling over $83,757 for the three transfers that have been conducted; and the development of the Office of Enterprise Technology (OET) statewide "one-stop" e-licensing system, which requires the Board to pay the costs of developing and migrating to the new system, in spite of the fact that the Board has had a satisfactory system in place for over 10 years.

**Minnesota Board of Chiropractic Examiners**
**The State of Health Occupation Regulation**

**Features available on the Board's website include**: License and registration renewal; information on obtaining a license and registration; information on renewal of licenses and registrations; public information such as disciplinary orders; information on how to file a complaint or resolve disputes; online change of address/phone number capability; Information on MBCE meetings and meeting content; information on emerging issues which may affect the profession

**Emerging issues seen in regulation of licensees** includes an increase in types and forms of fraudulent schemes to which doctors may be subjected; changes in health regulatory issues; management of impairment problems such as chemical dependency.

**Awards received by the MBCE include**:
1993 Outstanding Licensing Board
2005 Executive Director awarded the George Arvidson Award, the Federation of Chiropractic Boards highest honor (Note: the Executive Director is the only Executive Director of a Chiropractic Board to ever receive this award)
2009 Executive Director was appointed to the Board of the Federation of Chiropractic Licensing Boards

**Current contested cases include topics and results such as:**
improper use of health care credit cards; 2 year suspension
providing false reimbursement information to patients, resulting in very large outstanding bills to patients; 2 years suspension and civil penalty
failing to register to perform acupuncture (for about 16 years); admonishment and requirement to register

**Major program accomplishments for the MBCE in the past biennium include:**
Nearly 92% online renewal utilization
Improved continuing education audits with reduced audit failures
Establishment of the Animal Chiropractic registration

**Issues which will need to be addressed in the next biennium include:**
budget
changes to MS 214
new licensing program and online renewals

**The MBCE office is staffed with 4.75 full-time employees who on a daily basis work to:**
license applicants for Doctor of Chiropractic (DC)
approve registrations for: acupuncture, animal chiropractic, professional firm, graduate preceptorship, and independent examiner
renew the licenses and registrations listed above
manage funds received
manage continuing education
investigate and resolve complaints and disciplinary actions

**Rules adopted during the past biennium that affect the MBCE include:**
License Reinstatement M.R. 2500.1900, 2500.2040, 2500.2110, 2500.2130 effective 04/12/2010
Animal Chiropractic M.R. 2500.7000, 2500.7090 effective 05/08/2010
Currently pending are rules regarding pre-pay health plans

The MN Board of Chiropractic Examiners is comprised of seven members; five actively licensed Doctors of Chiropractic and two members of the public, each appointed by the Governor to serve four-year terms. The Board meets five times a year with additional meetings scheduled to handle disciplinary matters when necessary. The board operates through the following committees: Executive, Rules, three Complaint Panels and any additional committees formed to guide policy-making. Each committee meets on a pre-scheduled basis, and notices are published in accordance with the open meeting laws.

The function of the board is to manage professional licensing and renewals, oversee the agency budget, resolve complaints against chiropractors, and direct a staff of 4.75 full time employees.

In addition to the meetings and committees listed above, the President and Vice President serve as liaisons to two national chiropractic organizations: Federation of Chiropractic Licensing Boards (FCLB) and the National Board of Chiropractic Examiners (NBCE). The FCLB meets twice a year to discuss national practice trends, laws and regulatory matters, and to provide education in regulatory issues affecting all states. The NBCE provides national standardized testing for those seeking licensure in the chiropractic profession.

Finally, one board member serves as a representative to the Health Professionals Services Program (HPSP), an agency that assists the health licensing boards to monitor licensees with impairments such as addictions and mental illnesses, and also assists licensees in managing impairments.

Current Board Members are listed as follows:

| Board Member Name | Residence | Occupation | Position on Board | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Anderson, Matt | Bloomington, MN | Doctor of Chiropractic | Professional Member | May 21, 2007 | n/a |
| Daschner, Robert | Waseca, MN | Doctor of Chiropractic | Professional Member | April 22, 2008 | n/a |
| Fidler, Howard | St. Louis Park, MN | Doctor of Chiropractic | Professional Member | April 28, 2004 | April 22, 2008 |
| Marshall, Teresa | Chaska, MN | Doctor of Chiropractic | President / Professional Member | January 11, 2002 | March 31, 2006 & January 19, 2010 |
| Stouffer, Ralph | Roseville, MN | Educator | Administrative Officer / Public Member | March 31, 2006 | May 21, 2007 |
| Strobel, Kay | Red Wing, MN | Retired Rehabilitation Specialist | Public Member | October 4, 2010 | n/a |
| Tollefson, Richard | Coon Rapids, MN | Doctor of Chiropractic | Vice President / Professional Member | May 10, 2005 | February 24, 2009 |

**Executive Director Narrative**

The Minnesota Board of Chiropractic Examiners (MBCE) was established by legislative act on 3-13-1919. Minnesota Statutes 148.01-148.108 and Minnesota Rules 2500 give the board authority to regulate, to license by examination and renewal, and to investigate complaints. The mission of the MBCE is to protect the public through effective licensure and enforcement of the statutes and rules governing the practice of chiropractic to ensure a standard of competent and ethical practice in the profession.

**Licensing/Credentialing Services:** The purpose of regulation through licensing is to set and enforce standards of competence and ethical practice, and to ensure that persons licensed as doctors of chiropractic meet educational, examination, and continuing education standards. Staff process applications, verify compliance with statutory requirements, provide assistance and information to a variety of customers, and work in collaboration with other agencies at the state, federal, and national levels.

To meet these functions, the MBCE operates under five key service strategies:
maintain an integrated database of licensee information, registrations, discipline, and complaints
publish information on the web, including licensure information, disciplinary orders, and rulemaking efforts
conduct regular board meetings where citizens have input into the review of operations and rulemaking efforts
respond to public requests for information on chiropractors, continuing education sponsors, and licensee's status
manage funds soundly

The Board accomplishes its core public safety and regulatory mission of doctors of chiropractic by:
Administering minimum educational and examination requirements for initial licensure as a doctor of chiropractic and administering requirements and processes for renewal of licensure
Enforcing standards of ethical practice; and responding to inquiries, complaints and or reports regarding applicants, or licensees
Investigating complaints of alleged violations of statutes, holding educational and disciplinary conferences, and taking legal action when appropriate against licensees who fail to meet minimum standards of practice or who may otherwise constitute a harm to the public as a result of improper/unethical practice
Approving continuing education providers
Providing information about licensure and standards of practice, through professional education outreach efforts, the Board's website, online license verification services, and telephone, mail or email inquiries

The Board provides core public safety services through the regulatory oversight of doctors of chiropractic, as noted in the strategies listed above, to ensure both high standards of chiropractic practice and excellent customer service. Services are provided to the general public, consumers of chiropractic services, applicants and licensees, students and faculty in chiropractic academic programs, other state and local agencies, state and national professional chiropractic associations and finally the national testing organization as well as the Federation of Chiropractic Licensing Boards.

**Discipline/Complaint Resolution Services**: Staff, Board Members, and the Office of the Attorney General work collaboratively to review, investigate, and take action, as appropriate, in alleged complaint cases against licensed doctors of chiropractic. When a licensee is determined to have engaged in conduct which is a violation of the statutes or rules the Board is empowered to enforce, an appearance before Board Members may occur. Licensee's may enter into an agreement for corrective action with the Board's complaint panel, or may become subject to disciplinary action, with such final action determined by the full Board. Either of these two remedies is public once completed. In addition, staff provide informational services to a variety of customers regarding the Board's statutory requirements and standards of practice, including how to file a complaint and the complaint resolution process. The Board also works with the Health Professionals Services Program (HPSP), the state's diversion program for regulated professionals who are impaired, as an additional method to ensure public protection.

**Online Services:** the board maintains a very robust web site which includes: information on Board structure, meetings, and policies; licensing information, applications and renewal forms for nearly all licenses/registrations; information on continuing education programs and sponsors; access to specific statutes and rules directly impacting the profession; information on current emerging issues impacting the profession; information on access to the Health Professional Services Program, and links to many other related sites, and online license renewal. The Chiropractic Board was the first among the Health Related Licensing Boards to provide online license renewal capability. The board renewed well in excess of 4000 licenses and registrations last fiscal year, and generally appreciates approximately a 90%+ online application renewal rate.

**Key Activity Goals & Measures**
The MBCE works to meet the MN Milestone of access to government information 24x7x365 through its self-service website. The MBCE works to protect the public from access to impaired practitioners by prompt investigation of complaints and resolution of disciplinary matters through educational conferences, corrective action agreements, board orders and/or contested case proceedings as deemed required based on the severity of the infractions reported. The MBCE collaborates with other licensing boards and state agencies to create an efficient state government.

**Minnesota Board of Dentistry**

1. Number and Type of Credentials Issued or Renewed

| Total Number of Persons Licensed or Registered as of June 30, 2010: **16,417** | Number and Type of Credentials Issued or Renewed During Biennium Ending June 30, 2010 (7/1/08 – 6/30/10) | Number and Percent Renewed Online During Biennium Ending June 30, 2010 | | |
|---|---|---|---|---|
| **Type** | **# Issued** | **# Renewed** | **Number Renewed Online** | **Percentage Renewed Online** |
| Dentist | 172 | 3,728 | **2,908** | **78%** |
| Dental Hygienist | 351 | 4,688 | **3,704** | **79%** |
| Licensed Dental Assistant | 628 | 6,480 | **4,536** | **70%** |
| Full Faculty Dentist | 4 | 21 | N/A | |
| Limited Faculty Dentist | 1 | 12 | | |
| Guest Dentist | 11 | 40 | | |
| Guest Dental Assist | 2 | 7 | | |
| Limited General Dentist | 2 | 0 | | |
| Resident Dentist | 40 | 81 | | |
| Specialty Dentist | 5 | 21 | | |
| Limited Registration | 0 | 4 | | |
| **TOTAL** | **1,216** | **15,082** | **11,148** | **74%** |

| Total Number of Persons Licensed or Registered as of June 30, 2009: **16,117** | Number and Type of Credentials Issued or Renewed During Biennium Ending June 30, 2009 (7/1/07 – 6/30/09) | Number and Percent Renewed Online During Biennium Ending June 30, 2009 | | |
|---|---|---|---|---|
| **Type** | **# Issued** | **# Renewed** | **Number Renewed Online** | **Percentage Renewed Online** |
| Dentist | 226 | 3,716 | **2,787** | **75%** |
| Dental Hygienist | 454 | 4,550 | **3,413** | **75%** |
| Licensed Dental Assistant | 679 | 6,367 | **4,202** | **66%** |
| Full Faculty Dentist | 4 | 19 | N/A | |
| Limited Faculty Dentist | 1 | 14 | | |
| Guest Dentist | 5 | 37 | | |
| Guest Dental Assist | 2 | 8 | | |
| Limited General Dentist | 0 | 0 | | |
| Resident Dentist | 38 | 77 | | |
| Specialty Dentist | 3 | 16 | | |
| Limited Registration | 0 | 3 | | |
| **TOTAL** | **1,412** | **14,807** | **10,402** | **70%** |

| Total Number of Persons Licensed or Registered as of June 30, 2008: **15,791** | Number and Type of Credentials Issued or Renewed During Biennium Ending June 30, 2008 (7/1/06 – 6/30/08) | Number and Percent Renewed Online During Biennium Ending June 30, 2008 | | |
|---|---|---|---|---|
| **Type** | **# Issued** | **# Renewed** | **Number Renewed Online** | **Percentage Renewed Online** |
| Dentist | 280 | 3,726 | **2,645** | **71%** |
| Dental Hygienist | 493 | 4,496 | **3,147** | **70%** |
| Licensed Dental Assistant | 759 | 6,330 | **3,925** | **62%** |
| Full Faculty Dentist | 6 | 16 | **N/A** | |
| Limited Faculty Dentist | 7 | 12 | | |
| Guest Dentist | 0 | 37 | | |
| Guest Dental Assist | 1 | 7 | | |
| Guest Dental Hyg | 1 | 2 | | |
| Limited General Dentist | 0 | 0 | | |
| Resident Dentist | 47 | 77 | | |
| Specialty Dentist | 15 | 11 | | |
| **TOTAL** | **1,609** | **14,714** | **9,717** | **66%** |

| Total Number of Persons Licensed or Registered as of June 30, 2007: **15,651** | Number and Type of Credentials Issued or Renewed During Biennium Ending June 30, 2007 (7/1/2005 – 6/30/07) | | Number and Percent Renewed Online During Biennium Ending June 30, 2007 | |
|---|---|---|---|---|
| **Type** | **# Issued** | **# Renewed** | **Number Renewed Online** | **Percentage Renewed Online** |
| Dentist | 322 | 2,874 | **1,954** | **68%** |
| Dental Hygienist | 468 | 3,467 | **2,288** | **66%** |
| Licensed Dental Assistant | 771 | 4,790 | **2,826** | **59%** |
| Full Faculty Dentist | 12 | 9 | **N/A** | |
| Limited Faculty Dentist | 9 | 11 | | |
| Guest Dentist | 2 | 38 | | |
| Guest Dental Assist | 1 | 6 | | |
| Guest Dental Hyg | 1 | 0 | | |
| Limited General Dentist | 0 | 0 | | |
| Resident Dentist | 63 | 77 | | |
| Specialty Dentist | 13 | 3 | | |
| **TOTAL** | **1,662** | **11,275** | **7,068** | **63%** |

| Total Number of Persons Licensed or Registered as of June 30, 2006: **15,384** | Number and Type of Credentials Issued or Renewed During Biennium ending June 30, 2006 (7/1/2004 – 6/30/06) | Number and Percent Renewed Online During Biennium Ending June 30, 2006 | | |
|---|---|---|---|---|
| **Type** | **# Issued** | **# Renewed** | **Number Renewed Online** | **Percentage Renewed Online** |
| Dentist | 303 | 4,692 | **891** | **19%** |
| Dental Hygienist | 453 | 5,479 | **986** | **18%** |
| Licensed Dental Assistant | 800 | 7,943 | **1,191** | **15%** |
| Full Faculty Dentist | 9 | 17 | **N/A** | |
| Limited Faculty Dentist | 9 | 11 | | |
| Guest Dentist | 4 | 40 | | |
| Guest Dental Assist | 2 | 6 | | |
| Limited General Dentist | 0 | 0 | | |
| Resident Dentist | 70 | 86 | | |
| Specialty Dentist | 6 | 2 | | |
| **TOTAL** | **1,656** | **18,276** | **3,068** | **17%** |

The Minnesota Board of Dentistry…

- began online renewals November 2004
- changed from an annual renewal period to a *biennial*, staggered renewal period during biennium ending June 30, 2006 (7/1/2004 – 6/30/06)
- anticipates increasing capacity to permit online renewal of *all* license types during coming biennium

Number of Complaints Received *[note: **no** complaints received online]*

**Number of Complaints Received by type for CURRENT fiscal year:**

| | **FY 10** |
|---|---|
| a) competency | 121 |
| b) licensure | 13 |
| c) prescription or drugs | 11 |
| d) sexual misconduct | 4 |
| e) auxiliary misuse | 10 |
| f) sanitary/safety | 3 |
| g) advertising | 5 |
| h) unprofessional conduct | 62 |
| i) fraud | 13 |
| j) failure to cooperate w/Board | 4 |
| k) unconscionable fees | 3 |
| l) disability | 0 |
| m) mandatory reporting *(HPSP types)* | 1 |
| **TOTAL FY10** | **250** |

**Number of Complaints Received by type for PAST fiscal years:**

| | **FY 09** |
|---|---|
| a) competency | 125 |
| b) licensure | 12 |
| c) prescription or drugs | 19 |
| d) sexual misconduct | 2 |
| e) auxiliary misuse | 8 |
| f) sanitary/safety | 3 |
| g) advertising | 3 |
| h) unprofessional conduct | 53 |
| i) fraud | 6 |
| j) failure to cooperate w/Board | 15 |
| k) unconscionable fees | 2 |
| l) disability | 2 |
| m) mandatory reporting | 1 |
| **TOTAL FY09** | **251** |

| | FY 08 |
|---|---|
| a) competency | 90 |
| b) licensure | 19 |
| c) prescription or drugs | 13 |
| d) sexual misconduct | 0 |
| e) auxiliary misuse | 7 |
| f) sanitary/safety | 5 |
| g) advertising | 16 |
| h) unprofessional conduct | 55 |
| i) fraud | 11 |
| j) failure to cooperate w/Board | 6 |
| k) unconscionable fees | 6 |
| l) disability | 4 |
| m) mandatory reporting *(HPSP types)* | 0 |
| **TOTAL FY08** | **232** |

| | FY 07 |
|---|---|
| a) competency | 87 |
| b) licensure | 20 |
| c) prescription or drugs | 14 |
| d) sexual misconduct | 1 |
| e) auxiliary misuse | 5 |
| f) sanitary/safety | 26 |
| g) advertising | 13 |
| h) unprofessional conduct | 68 |
| i) fraud | 20 |
| j) failure to cooperate w/Board | 2 |
| k) unconscionable fees | 5 |
| l) disability | 5 |
| m) mandatory reporting *(HPSP types)* | 0 |
| **TOTAL FY07** | **239** |

| | FY 06 |
|---|---|
| a) competency | 73 |
| b) licensure | 11 |
| c) prescription or drugs | 11 |
| d) sexual misconduct | 0 |
| e) auxiliary misuse | 8 |
| f) sanitary/safety | 37 |
| g) advertising | 9 |
| h) unprofessional conduct | 67 |
| i) fraud | 9 |
| j) failure to cooperate w/Board | 5 |
| k) unconscionable fees | 3 |
| l) disability | 5 |
| m) mandatory reporting *(HPSP types)* | 1 |
| **TOTAL FY06** | **239** |

The quantity of complaints is relatively stable across recent years, and the complexity of complaint cases has steadily increased. The Board of Dentistry is committed to investigating every complaint received, and bringing each case to resolution. This involves a tremendous commitment of resources, by Board staff, Board members, investigators and attorneys at the Attorney General's Office, consulting experts, and others

Number and Age of Complaints by Fiscal Year

| NUMBER OF COMPLAINTS *CLOSED* DURING FY2010 | NUMBER OF COMPLAINTS *OPEN* AS OF JUNE 30, 2010 |
|---|---|
| 365 | 124 |

| NUMBER OF COMPLAINTS *CLOSED* DURING FY2009 | NUMBER OF COMPLAINTS *OPEN* AS OF JUNE 30, 2009 |
|---|---|
| 246 | 132 |

| NUMBER OF COMPLAINTS *CLOSED* DURING FY2008 | NUMBER OF COMPLAINTS *OPEN* AS OF JUNE 30, 2008 |
|---|---|
| 225 | 139 |

| NUMBER OF COMPLAINTS *CLOSED* DURING FY2007 | NUMBER OF COMPLAINTS *OPEN* AS OF JUNE 30, 2007 |
|---|---|
| 290 | 120 |

| NUMBER OF COMPLAINTS *CLOSED* DURING FY2006 | NUMBER OF COMPLAINTS *OPEN* AS OF JUNE 30, 2006 |
|---|---|
| 247 | 109 |

THE FOLLOWING TABLES PROVIDE ADDITIONAL DETAIL RELATED TO RESOLUTION OF COMPLAINTS RECEIVED.

| | FY 06 | FY 07 | FY 08 | FY 09 | FY 10 |
|---|---|---|---|---|---|
| 1. Number of complaints closed | **247** | **290** | **236** | **246** | **365** |
| 2. Disposition by type: | | | | | |
| a) revocation | 0 | 0 | 1 | 0 | 0 |
| b) voluntary surrender | 5 | 6 | 2 | 6 | 3 |
| c) suspension with or without stay | 2 | 2 | 12 | 5 | 1 |
| d) restricted /limited /conditional license | 5 | 3 | 1 | 10 | 12 |
| e) *civil penalties** | *2* | *1* | *2* | *3* | *2* |
| f) reprimand | 0 | 0 | | 3 | 1 |
| g) agreement for corrective action | 31 | 18 | 23 | 16 | 33 |
| h) *referral to HPSP ** | *13* | *16* | *26* | *10* | *14* |
| i) dismissal or closure | 177 | 259 | 197 | 206 | 315 |
| j) other | 27 | 2 | 0 | 0 | 0 |

*

*Subparts 2e and 2h, above, are not included in the total number of cases closed. Civil penalties and referrals to HPSP are not considered separate actions, but rather, they are included as part of disciplinary board orders].*

OPEN COMPLAINTS ON JUNE 30 OF EACH FISCAL YEAR OF THE BIENNIUM

*Note: The data below include complaints that were open at the end of each biennium. These data cannot be compared to the number of complaints listed under part A, above.*

| | FY 06 | FY 07 | FY 08 | FY 09 | FY 10 |
|---|---|---|---|---|---|
| 1. All complaints open on June 30th | **109** | **120** | **139** | **132** | **124** |
| 2. Open less than 3 months | 26 | 47 | 28 | 57 | 42 |
| 3. Open more than 3 mo, but less than 6 mo | 5 | 11 | 32 | 24 | 24 |
| 4. Open more than 6 mo, but less than 9 mo | 4 | 9 | 20 | 16 | 25 |
| 5. Open for more than 1 year | **35** | **22** | **39** | **29** | **23** |

| | FY 09 | FY 10 |
|---|---|---|
| * Number of cases closed that had been open for more than 1 year: | **20** | **21** |

*Note: The number of old cases that have been able to be resolved has improved dramatically, demonstrating the Board's commitment to protecting the public while balancing the due process rights of licensees. Those cases that remain open for protracted periods of time are typically the more complex, challenging cases involving significant investigations and negotiations. For example, 16 of the 23 cases that had been open for more than a year on June 30, 2010 involved investigations by the Attorney General's Office, four were involved in negotiations at that point, and five had pending conferences scheduled. All 29 of the cases open for more than a year at the end of FY2009 involved AGO investigations, and only six of those complaints (involving four separate licensees) were still unresolved at the end of the following year. In this past year, as in previous years, cases that proceed to the Office of Administrative Hearings as contested cases are included in these numbers of long-open cases.*

Receipts, Disbursements and Major Fees Assessed by the Board

| Item | FY 2009 | FY 2010 |
|---|---|---|
| **Receipts** | **$ 1,301,642** | **$ 1,414,181** |
| **Disbursements** | **$ 1,545,397** | **$ 1,320,187** |

| Fees: Dentists (including Specialty & Faculty Dentists) | FY 2009 | FY 2010 |
|---|---|---|
| Initial Application | $ 140 | $ 140 |
| Biennial Renewal Application* | $ 310 | $ 310 |
| Credential Application | $ 725 | $ 725 |
| **Fees: Dental Hygienists** | | |
| Initial Application | $ 55 | $ 55 |
| Biennial Renewal Application* | $ 100 | $ 100 |
| Credential Application | $ 175 | $ 175 |
| **Fees: Licensed Dental Assistants** | | |
| Initial Application | $ 35 | $ 35 |
| Biennial Renewal Application* | $ 70 | $ 70 |
| **FEES: RESIDENT DENTISTS** | | |
| Initial Application | $ 55 | $ 55 |
| Annual Renewal Application | $ 50 | $ 50 |
| **FEES: GUEST LICENSURE (DDS, DH, RDA)** | | |
| Initial Application | $ 50 | $ 50 |
| **Fees: Limited Registered Dental Assistant** | | |
| Initial Application | $ 15 | $ 15 |
| Biennial Renewal Application | $ 24 | $ 24 |
| **FEES: LIMITED GENERAL LICENSED DENTISTS** | | |
| Initial Application | $ 140 | $ 140 |
| Annual Renewal Application | $ 155 | $ 155 |

** Those who failed to renew their credential by their expiration date were subject to a 25% late fee if biennial renewal or 50% late fee if an annual renewal.*

*Note: The annual renewal fees were **reduced** in 1999 to the levels indicated above. Biennial renewals are now staggered throughout the year based on birth month and odd/even year). For the past 10 year period, the Board of Dentistry has operated under deficit spending in compliance with state directive to spend down reserve funds. Spending authority approved by the legislature over the decade has not kept pace with actual operating costs resulting from mandated salary and benefit costs for Board staff, costs of leased space, equipment and technology, on-line services and payments, etc. In addition, fees collected by the Board of Dentistry have been allocated to support HIV/HBV programming, the Volunteer Health Care Provider Program, the Minnesota Department of Health's Oral Health Pilot Project, Health Professional Services Program, a duplicative E-licensing initiative of the Office of Enterprise Technology, and significant transfers to the State's General Fund for miscellaneous services.*

*A new license type, Limited General License, was created August 2008.*

The Board of Dentistry's mission is "to ensure that Minnesota citizens receive quality dental care from competent dental health care professionals." The Board accomplishes its mission through services that include: establishing the educational and examination and other qualification standards for **initial licensure** as dentists, dental hygienists, dental therapists, and dental assistants; determining requirements for **license renewal**, such as professional development (continuing education); accepting, investigating, and **resolving complaints** regarding licensed dental professionals; tracking **compliance** of those licensees who are under corrective or disciplinary action of the Board; registering **professional firms**; disseminating **public information**; and engaging in **policy initiatives** to ensure that related statutes and rules that protect the public through regulating dental professions remain relevant.

Major activities recently engaged in by the Board of Dentistry have included:

operationalizing the recommendations from its strategic plan, the framework for providing improved services to the public and to licensees

maintaining a comprehensive web site that provides on-demand public information. The web site (www.dentalboard.state.mn.us) now offers on-line renewals, license verification, address changes, and other interactive features

contracting with Prometric to develop and administer both the Jurisprudence Exam and the State Dental Assisting Licensure Exam in secure testing facilities

establishing program requirements for instruction of developing clinical examinations for Dental Therapists and Advanced Dental Therapists, the first such mid-level dental providers in the country

ensuring access to dental health services for all Minnesota citizens remains an issue that the Board is exploring ways to address. The Board has been working with many government organizations, community groups and professional associations to address access from a regulatory perspective.

## *Board Members*

The Board is statutorily comprised of five licensed dentists, one licensed dental hygienist, one licensed dental assistant and two consumer members, all of whom are appointed by the Governor. Each member is appointed for a four-year term, and may be re-appointed to serve a second four-year term.

As of June 30, 2010, the following were members of the Board:

| Board Member | Profession | Term Exp. | Residence |
|---|---|---|---|
| Neal Benjamin, DDS | Dentist | 2013 | Lino Lakes, MN |
| Kristin Heebner, JD | Public Member | 2011 | Minneapolis, MN |
| Nancy Kearn, DH | Dental Hygienist | 2013 | Wyoming, MN |
| David A. Linde, DDS | Dentist | 2012 | Prior Lake, MN |
| Candace A. Mensing, DDS | Dentist | 2014 | Rochester, MN |
| Allen Rasmussen | Public Member | 2012 | International Falls, MN |
| Freeman Rosenblum, DDS | Dentist | 2011 | Burnsville, MN |
| Joan A. Sheppard, DDS | Dentist | 2011 | Bloomington, MN |
| Teri M. Youngdahl, DA | Licensed Dental Assistant | 2014 | Elk River, MN |

Board Staff

Judith Bonnell, Complaint Analyst
Deborah Endly, Compliance Officer
Sheryl Herrick, Office Manager
Amy Johnson, Licensing & Professional Dvlpt Analyst
Kathy T Johnson, Legal Analyst
Linda A Johnson, Administrative Assistant
Paul Kukla, Dental Consultant
Mary Liesch, Director of Complaints & Compliance
Joyce Nelson, Licensing Administrator
Marshall Shragg, Executive Director
Cynthia Thompson, Administrative Assistant

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| 1378 | ISSUE<br>Licensed Dietitian<br>Licensed Nutritionist<br>RENEW<br>Licensed Dietitian<br>Licensed Nutritionist<br>REINSTATED<br>Licensed Dietitian<br>Licensed Nutritionist | <br>78<br>0<br><br>1256<br>58<br><br>5<br>1 | 512 – 38% |

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2009 | Number and Type of Cre-dentials Renewed Online (# and per cent) during bien-nium ending June 30, 2009 | |
|---|---|---|---|
| 1299 | ISSUE<br>Licensed Dietitian<br>Licensed Nutritionist<br>RENEW<br>Licensed Dietitian<br>Licensed Nutritionist<br>REINSTATED<br>Licensed Dietitian<br>Licensed Nutritionist | <br>90<br>0<br><br>1237<br>58<br><br>8<br>0 | 457 – 35% |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 [by type, if available] | |
|---|---|---|---|
| 1295 | ISSUED<br>Licensed Dietitian<br>Licensed Nutritionist<br>RENEWED<br>Licensed Dietitian<br>Licensed Nutritionist<br>REINSTATED<br>Licensed Dietitian<br>Licensed Nutritionist | <br>98<br>1<br><br>1150<br>59<br><br>8<br>0 | 353 – 29% |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2007 | |
|---|---|---|---|
| 1199 | ISSUED<br>Licensed Dietitian<br>Licensed Nutritionist<br>RENEWED<br>Licensed Dietitian<br>Licensed Nutritionist<br>REINSTATED<br>Licensed Dietitian<br>Licensed Nutritionist | <br>86<br>1<br><br>1102<br>59<br><br>10<br>0 | 232 - 19% |
| | | | |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| 1205 | ISSUE<br>Licensed Dietitian<br>Licensed Nutritionist<br>RENEW<br>Licensed Dietitian<br>Licensed Nutritionist<br>REINSTATED<br>Licensed Dietitian<br>Licensed Nutritionist | <br>89<br>2<br><br>1103<br>61<br><br>8<br>0 | |

Electronic government services were initiated by the Board in FY07 with online renewal of licenses.

The Board provides excellent customer service and uses efficient and cost effective processes and technology to support Board functions, including ensuring that all applicants meet the standards for initial licensure, and that dietitians and nutritionists meet standards for annual license renewal.

Minnesota Board of Dietetics and Nutrition Practice
Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 4 – unlicensed practice | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 0 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 2 – unlicensed practice<br>1 – unprofessional conduct | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 2 – unlicensed practice | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 3 – unlicensed practice | 0 |

Minnesota Board of Dietetics and Nutrition Practice
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or<br>> One year] |
|---|---|
| 4 | 0 |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009<br>[listed by < one year or<br>> One year] |
|---|---|
| 3 | 0 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or<br>> One year] |
|---|---|
| 1 | 3 < 1 year |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007<br>[listed by < one year or<br>> One year] |
|---|---|
| 3 | 1 < 1 year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006<br>[listed by < one year or<br>> One year] |
|---|---|
| 1 | 2 < 1 year |

In support of the mission of public protection, the Board responds to complaints and investigates dietitians and nutritionists who are alleged to have failed to maintain minimum standards necessary for the provision of safe and quality care, and when warranted, the Board provided timely and appropriate discipline or corrective action. The Complaint Review Committee of the Board is comprised of 2 Board members.

The Committee determines if the complaint is jurisdictional, and whether the information submitted is sufficient to initiate a complaint, and if not, then may request additional information from the complainant. The Board also seeks information directly from the licensee, as well as obtaining investigation information from other agencies, and/or consultants. Confidentiality and due process are strictly observed throughout the complaint review process and after resolution. When appropriate, licensees may be provided with education to improve their practice and prevent recurrence of problems. When formal action is warranted for public protection then the Committee attempts to obtain a voluntary corrective action agreement or disciplinary action; and if necessary will pursue disciplinary action through a due process, contested case hearing, or potential court action.

Consumer complaint forms are available from the Board's website at www.dieteticsnutritionboard.state.mn.us

Minnesota Board of Dietetics and Nutrition Practice
Receipts, Disbursements and Major Fees

**Minnesota Board of Medical Practice**
Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| Actions by another jurisdiction 100<br>Incompetency/Unethical Conduct 1415<br>Unprofessional Conduct 1233<br>Illness 162<br>Non-Jurisdictional 42<br>Medical Records 253<br>Becoming Addicted 79<br>Prescribing 662<br>sexual Misconduct 73<br>Miscellaneous 324<br><br>Number of Complaints Received:<br>FY 2009: 890<br>FY 2010: 817 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| Actions by another jurisdiction 67<br><br>Incompetency/Unethical Conduct 1461<br><br>Unprofessional Conduct 1432<br><br>Illness 145<br><br>Non-Jurisdictional 39<br><br>Medical Records 212<br><br>Becoming Addicted 67<br><br>Prescribing 568<br><br>sexual Misconduct 82<br><br>Miscellaneous 381<br><br>Number of Complaints Received:<br>FY 2007: 823<br>FY 2008: 868 | N/A |

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2010 | |
|---|---|---|
| Nutritionist Application | 350 | 88,61 |
| Dietitian Application | 7,900 | |
| Licensing Fee | 12,150 | |
| Annual License Renewal | 59,175 | |
| Late Penalty Fee | 562 | |
| Reinstatement Fee | 647 | |

| Fees 2009 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2009 | |
|---|---|---|
| Nutritionist Application | .00 | 99,40 |
| Dietitian Application | 8,975 | |
| Licensing Fee | 13,350 | |
| Annual License Renewal | 57,465 | |
| Late Penalty Fee | 787 | |
| Reinstatement Fee | 555 | |

| Fees 2008 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2008 | |
|---|---|---|
| Nutritionist Application | .00 | 87,53 |
| Dietitian Application | 9,700 | |
| Licensing Fee | 14,550 | |
| Annual License Renewal | 54,405 | |
| Late Penalty Fee | 1,260 | |
| Reinstatement Fee | 832 | |

| Fees 2007 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2007 | |
|---|---|---|
| Nutritionist Application | 175 | 99,40 |
| Dietitian Application | 8,800 | |
| Licensing Fee | 13,200 | |
| Annual License Renewal | 52,245 | |
| Late Penalty Fee | 720 | |
| Reinstatement Fee | 832 | |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2006 | |
|---|---|---|
| Nutritionist Application | 175 | 81,02 |
| Dietitian Application | 8,900 | |
| Licensing Fee | 13,500 | |
| Annual License Renewal | 50,040 | |
| Late Penalty Fee | 855 | |
| Reinstatement Fee | 785 | |

Annual license renewal fees were reduced to $45.00 in fiscal year 2005 and have remained at that reduced amount. During this biennium a 10% surcharge, imposed by legislation, on dietitian and nutritionist licenses and renewals for the Minnesota Office of Enterprise Technology to develop a statewide electronic licensing system was funded by the Board in FY 10 with a transfer from the special revenue fund in lieu of imposing this surcharge on the licensees. Beginning in FY 11 the surcharge will be collected directly from applicants and licensees

The State of Health Occupation Regulation

The Board website (www.dieteticsnutritionboard.state.mn.us) provides ready access to Online Annual License Renewals, Online address//phone change, Online reporting of continuing education, information about the status of individual Licensees, Complaint Forms, and dietetic/nutrition Statutes and Rules.

The Board staff consists of 0.8 FTE employees in the positions of Executive Director and Office Administrative Specialist.

The Board continues to be proud of creating a shared electronic licensing model with other small boards. Significant work has been completed in this biennium to create online applications with possible roll out in the next biennium.

Board Members

The Board consists of seven members; 2 licensed dietitians, 2 licensed nutritionists and 3 public members. Board member appointments are a four year commitment commencing immediately upon selection. Board members also serve on the Board's Complaint Review, Continuing Education, and Legislative Committees. The Board members are individuals who are dedicated to public protection, volunteer significant personal time to review materials in advance of the meetings and to attend Board and Committee meetings.

The purpose of the Board is to ensure that the public health is protected and well served by persons with specific education requirements, by following the scope of practice defined in law. Primary duties of Board members are 1) review and evaluate applications for licensure, 2) review and investigate consumer complaints to determine if disciplinary action is needed. Secondary duties include actions on budget issues, fee structure, continuing education and rule writing. Most of the work of Board members is completed at Board meetings.

The full Board meets, at a minimum, quarterly. The board meetings are currently held at the board office in Minneapolis, MN. Additional committee meetings may be held at other times. Board members are paid a per diem and reimbursed for travel expenses.

| Board Member Name | Residence | Occupation | Professional / Public Member | Date of Ap-pointment | Date of Reap-pointment |
|---|---|---|---|---|---|
| Jennifer Nelson | Rochester | Dietitian | Professional | 2003 | 2007 |
| Marnie Moore | St. Paul | Attorney | Public | 2004 | 2007 |
| Janelle Peterson | Minneapolis | Dietitian | Professional | 2005 | 2009 |
| Darlene Kvist | St. Paul | Nutritionist | Professional | 2006 | 2009 |
| Carol Haggerty | St. Paul | | Public | 2007 | 2009 |
| Stacey Millett | St. Paul | | Public | 2010 | |
| Susan Parks | Mendota Heights | Nutritionist | Professional | 2010 | |

The mission of the Board is public protection by striving to ensure Minnesota citizens receive quality dietetic/nutrition care from competent professionals. Public protection through licensure and regulation underlies every activity and all functions of the Board.

The Board continues collaborative efforts for online services shared between the group of seven small health licensing boards banded together to leverage limited resources. This group of small boards has worked cooperatively for 9 years to successfully develop, maintain, and advance an integrated licensing and regulatory system, web applications, and database in an extremely functional but cost effective and efficient manner.

The Board continues to provide high quality, customer focused, efficient, and cost effective services. Board members and staff are to be commended for exceptional dedication and hard work to meet the increasing demands and continue to provide service excellence.

Minnesota Board of Marriage and Family Therapy

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 |
|---|---|---|---|
| | Type | Number | |
| 1675 | LMFT Issued:<br>LMFT Renewed:<br>LAMFT Issued:<br>LAMFT Renewed: | 252<br>2274<br>186<br>388 | LMFT – 1689 / 74%<br>LAMFT – 0 |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 |
|---|---|---|---|
| | Type | Number | |
| 1301 | LMFT Issued:<br>LMFT Renewed:<br>LAMFT Issued:<br>LAMFT Renewed: | 215<br>1930<br>212<br>336 | LMFT – 1223 / 63%<br>LAMFT – 0 |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 |
|---|---|---|---|
| | Type | Number | |
| 1145 | LMFT Issued:<br>LMFT Renewed:<br>LAMFT Issued:<br>LAMFT Renewed: | 207<br>1640<br>191<br>252 | LMFT – 786 / 48%<br>LAMFT – 0 |

| Total Number of persons licensed or registered as of June 30, 2004 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2004 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2004 | |
|---|---|---|---|
| 957 | Type<br><br>LMFT Issued:<br>LMFT Renewed:<br>LAMFT Issued:<br>LAMFT Renewed: | Number<br><br>123<br>1441<br>98<br>221 | LMFT – 0<br>LAMFT – 0 |

| Total Number of persons licensed or registered as of June 30, 2002 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2002 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2002 | |
|---|---|---|---|
| 866 | Type<br><br>LMFT Issued:<br>LMFT Renewed:<br>LAMFT Issued:<br>LAMFT Renewed: | Number<br><br>101<br>1282<br>162<br>77 | LMFT – 0<br>LAMFT – 0 |

- The Board of Marriage and Family Therapy issues two primary licenses: Licensed Marriage and Family Therapy (LMFT) and Licensed Associate Marriage and Family Therapy (LAMFT). The LAMFT license was instituted in 2000.
- License applications continue to increase, with the Board issuing over 200 licenses per year. Board staffing remains unchanged at one full-time office manager and a part-time (.6) director.
- Minnesota continues to have the highest number of applicants annually take the national MFT licensure exam; 48 states require passage of the national exam for licensure.
- Online license renewal for LMFTs was instituted November 1, 2004.
- Online license verification was made available during the past biennium.

Requirement (2): the number of complaints received

Minnesota Board of Marriage and Family Therapy
Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 68<br><br>**Complaints by type:**<br>Not yet tabulated | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 60<br><br>**Complaints by type:**<br>A. Violation of confidentiality (14)<br>B. Lack of professional competence (9)<br>C. Physical contact with client, supervisee or student (6)<br>D. Other dual relationship (31) | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 46<br><br>**Complaints by type:**<br>A. Violation of confidentiality (12)<br>B. Lack of professional competence (22)<br>C. Physical contact with client, supervisee or student (3)<br>D. Other dual relationship (9) | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2004 | Number of Complaints Received online |
|---|---|
| 36<br>**Complaints by type:**<br>A. Violation of confidentiality (6)<br>B. Lack of professional competence (17)<br>C. Physical contact with client, supervisee or student (3)<br>D. Other dual relationship (10) | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2002 | Number of Complaints Received online |
|---|---|
| 34<br><br>**Complaints by type:**<br>A. Violation of confidentiality (6)<br>B. Lack of professional competence (17)<br>C. Physical contact with client, supervisee or student (1)<br>D. Other dual relationship (10) | N/A |

Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 50 | 53 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 44 | 60 |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 37 | 22 |

| Number of Complaints Closed in biennium ending June 30, 2004 | Number of Complaints Open as of June 30, 2004 |
|---|---|
| 26 | 23 |

| Number of Complaints Closed in biennium ending June 30, 2002 | Number of Complaints Open as of June 30, 2002 |
|---|---|
| 23 | 20 |

Receipts, Disbursements and Major Fees

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Direct Disbursements FY 2010 |
|---|---|
| Receipts<br>$515,954<br><br>Fees:<br>Application for written examination $220<br>Application for licensure (LMFT) $110<br>Annual renewal (LMFT) $125<br>Application for licensure (LAMFT) $75<br>Annual renewal (LAMFT) $75<br>Licensure by reciprocity $340<br>CE sponsor program approval $60 | $278,433 |

| Fees 2008 [list by license type / renewal term (e.g., annual, biannual)] | Direct Disbursements FY 2008 |
|---|---|
| Receipts<br>$458,510<br><br>Fees:<br>Application for written examination $220<br>Application for licensure (LMFT) $110<br>Annual renewal (LMFT) $125<br>Application for licensure (LAMFT) $75<br>Annual renewal (LAMFT) $75<br>Licensure by reciprocity $340<br>CE sponsor program approval $60 | $249,149 |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Direct Disbursements FY 2006 |
|---|---|
| Receipts<br>$388,992<br><br>Fees:<br>Application for written examination $220<br>Application for licensure (LMFT) $110<br>Annual renewal (LMFT) $125<br>Application for licensure (LAMFT) $75<br>Annual renewal (LAMFT) $75<br>Licensure by reciprocity $340<br>CE sponsor program approval $60 | $237,829 |

| Fees 2004 [list by license type / renewal term (e.g., annual, biannual)] | Direct Disbursements FY 2004 |
|---|---|
| Receipts<br>$324,440<br><br>Fees:<br>Application for written examination $220<br>Application for licensure (LMFT) $110<br>Annual renewal (LMFT) $125<br>Application for licensure (LAMFT) $75<br>Annual renewal (LAMFT) $75<br>Licensure by reciprocity $340<br>CE sponsor program approval $60 | $223,590 |

| Fees 2002 [list by license type / renewal term (e.g., annual, biannual)] | Direct Disbursements FY 2002 |
|---|---|
| Receipts<br>$265,271<br><br>Fees: (Fees increased FY2001 to FY2002)<br>Application for written examination $200/$220<br>Application for licensure (LMFT) $100/$110<br>Annual renewal (LMFT) $115/$125<br>Application for licensure (LAMFT) $60/$75<br>Annual renewal (LAMFT) $60/$75<br>Licensure by reciprocity $300/<br>$340<br>CE sponsor program approval $50/$60 | $205,819 |

- Licensure fees were last increased effective FY2002.
- Fees collected are deposited as non-dedicated revenue into the state government special revenue fund.
- From this special revenue fund, the Board receives its current direct annual appropriation of $159,000. The Board also pays statewide indirect costs through an open appropriation and utilizes fees to cover legal support (Attorney General), statewide e-licensing system surcharge (Office of Enterprise Technology), centralized administration support (Health Boards Administrative Services Unit), and funding for services to health professional (Health Professionals Services Program).

The Board of Marriage and Family Therapy continues to oversee a growing number of mental health professionals. Applicants for both the national examination and state oral exam increased steadily over the past biennium. Board staffing remains essentially unchanged over two decades: a full-time office manager with a part-time executive director. [Note: The Board's executive director of 19 years retired in April 2010. The executive director position increased from .5 to .6 FTE at the hiring of a new director in September 2010.]

The Board continues to focus on effective utilization of technology. Online renewal for LMFT licenses was instituted in November 2004 and is now used by nearly 75% of licensees. All application, continuing education and complaint forms are available on the Board's website. Online license verification became available in 2009, allowing citizens to verify licensure status of all LMFTs and LAMFTs in Minnesota.

The Board is proceeding with a major rule revision set for completion in 2011. The proposed new rules will update and clarify education requirements, post-graduate supervision and supervisor responsibilities and Board licensing standards.

Board Members

Statute requires the Board to have seven members who are appointed for four-year terms by the Governor. Of the seven, four must be Licensed Marriage and Family Therapists, one must be engaged in teaching marriage and family therapy and two must be public members who have no direct affiliation with the practice of marriage and family therapy. The Board meets twelve times per year. The Board also conducts oral examinations, the final step in the MFT state licensure process, twelve times per year. The Board members staff three standing committees: complaint, applications, continuing education.

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Herb Grant, Chair | Minneapolis | MA, LMFT | Professional | 6/29/06 | 1/4/10 |
| Mark Flaten | Minneapolis | MS, LMFT | Professional | 6/30/08 | |
| Sara Wright | Minneapolis | Ph.D., LMFT | Professional | 6/30/08 | |
| Manijeh Daneshpour | Saint Cloud | Ph.D., LMFT | Professional | 7/8/03 | 1/30/07 |
| John Seymour | Mankato | Ph.D., LMFT | Professional | 6/29/06 | 1/4/10 |
| Kay Ek | Saint Paul | | Public | 6/29/06 | 1/4/10 |
| Rebekah McDonald* | Woodbury | | Public | 4/15/09* | |

*Ms. McDonald's service to the Board ended June 2010. A new public board member, Dr. Dennis Morrow, was appointed to the Board effective December 2010.

## Executive Director Narrative

The Board of Marriage and Family Therapy's mission is to protect the public through effective licensure and enforcement of the statutes and rules governing the practice of marriage and family therapists to ensure a standard of competent and ethical practice. The Board fulfills its mission through provision of the following services:

- Issue initial license and renew licenses for qualified professionals.
- Ensure that only applicants who meet licensure requirements are granted a license.
- Respond to public and agency inquiries, complaints, and reports regarding licensure and conduct of applicants and licensees.
- Take disciplinary or corrective action against an applicant or licensee for misconduct.

- Set standards of practice and professional conduct for licensees.
- Set educational standards for initial licensure and continuing education requirements for maintaining licensure.
- Review applicant's education and training to determine compliance with the board's licensure requirements.
- Provide information about licensure requirements and standards of practice to citizens and other interested persons or agencies.

In the past biennium, the Board continued to handle the growing number of licensure applications and now reviews and processes well over 200 licensure applications per year. With this growth come additional service requirements in the areas of complaint review and investigation, continuing education course approval, and post-graduate supervision oversight. As the number of marriage and family therapy graduate programs continues to increase, the Board must ensure these graduate programs meet the educational standards set forth in statute.

The Board continues to work to maximize its use of technology in providing essential services. The Board collaborates with seven small health licensing boards to develop and maintain its licensing system, database, and web applications. This collaboration allows the Board to maximize its technology output in a cost-effective manner.

Board members continue to show great dedication to maintaining the high level of training and professionalism denoted by Minnesota MFTs. Board staff continue to provide customer-focused and cost-effective services. Should the growth in the industry and license applications continue to increase, staffing levels will need to be adjusted to better meet growing demand and fulfill the Board's statutory responsibilities.

**Minnesota Board of Medical Practice**

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2010 |
|---|---|---|
| 25,946 | Type<br>Active Licensed/ Renewed<br>Newly Issued | Type<br>Online Renewals<br>% |
| | Acupuncturist<br>796<br>95 | Acupuncturist<br>623<br>83.23% |
| | Athletic Trainer<br>1288<br>134 | Athletic Trainer<br>993<br>81.33% |
| | Traditional Midwife<br>27<br>3 | Traditional Midwife<br>N/A<br>N/A |
| | Naturopathic Doctor<br>21<br>21 | Naturopathic Doctor<br>N/A<br>N/A |
| | Physician Assistant<br>2862<br>321 | Physician Assistant<br>2553<br>94.50% |
| | Physician and Surgeon<br>38882<br>2233 | Physician and Surgeon<br>34559<br>91.51% |
| | Respiratory Therapist<br>3454<br>202 | Respiratory Therapist<br>2768<br>82.55% |
| | Telemedicine<br>533<br>165 | Telemedicine<br>201<br>44.62% |
| | Resident Permit<br>1630<br>1630 | |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 |
|---|---|---|
| **24,724** | Type<br>Active Licensed/ Renewed<br>Newly Issued<br><br>Acupuncturist<br>667<br>81<br><br>Athletic Trainer<br>1189<br>156<br><br>Traditional Midwife<br>29<br>2<br><br>Physician Assistant<br>2359<br>303<br><br>Physician and Surgeon<br>37062<br>2293<br><br>Respiratory Therapist<br>3291<br>244<br><br>Telemedicine<br>414<br>103<br><br>Resident Permit<br>1676 | Type<br>Online Renewals<br>%<br><br>Acupuncturist<br>507<br>76.01%<br><br>Athletic Trainer<br>828<br>69.64%<br><br>Traditional Midwife<br>N/A<br>N/A<br><br>Physician Assistant<br>2023<br>85.76%<br><br>Physician and Surgeon<br>30377<br>81.96%<br><br>Respiratory Therapist<br>2768<br>84.11%<br><br>Telemedicine<br>N/A<br>N/A |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 |
|---|---|---|
| **23,273** | Type<br>Active Licensed/ Renewed<br>Newly Issued<br><br>Acupuncturist<br>560<br>80<br><br>Athletic Trainer<br>1059<br>140<br><br>Traditional Midwife<br>25<br>7<br><br>Physician Assistant<br>1929<br>243<br><br>Physician and Surgeon<br>35362<br>1969<br><br>Respiratory Therapist<br>3079<br>217<br><br>Telemedicine<br>299<br>102<br><br>Resident Permit<br><br>1618 | Type<br>Online Renewals<br>%<br><br>Acupuncturist<br>411<br>79.04%<br><br>Athletic Trainer<br>703<br>71.08%<br><br>Traditional Midwife<br>N/A<br>N/A<br><br>Physician Assistant<br>1536<br>84.98%<br><br>Physician and Surgeon<br>22970<br>66.82%<br><br>Respiratory Therapist<br>2371<br>79.82%<br><br>Telemedicine<br>N/A<br>N/A |

| Total Number of persons licensed or registered as of June 30, 2004 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2004 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2004 |
|---|---|---|
| 21,466 | Type<br>Active Licensed/ Renewed<br>Newly Issued<br><br>Acupuncturist<br>401<br>70<br><br>Athletic Trainer<br>857<br>137<br><br>Traditional Midwife<br>15<br>1<br><br>Physician Assistant<br>1555<br>169<br><br>Physician and Surgeon<br>33864<br>2113<br><br>Respiratory Therapist<br>2738<br>169<br><br>Telemedicine<br>135<br>86<br><br>Resident Permit<br><br>1451 | N/A |

| Total Number of persons licensed or registered as of June 30, 2002 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2002 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2002 |
|---|---|---|
| 21,164 | Type<br>Active Licensed/ Renewed<br>Newly Issued<br><br>Acupuncturist<br>332<br>65<br><br>Athletic Trainer<br>818<br>130<br><br>Traditional Midwife<br>18<br>7<br><br>Physician Assistant<br>1346<br>198<br><br>Physician and Surgeon<br>32305<br>2151<br><br>Respiratory Therapist<br>3454<br>205<br><br>Resident Permit<br><br>1452 | N/A |

Note that all types license renewing annually, except resident permit.

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| Actions by another jurisdiction 68<br>Incompetency/Unethical Conduct 1407<br>Unprofessional Conduct 1291<br>Illness 117<br>Non-Jurisdictional 44<br>Medical Records 161<br>Becoming Addicted 57<br>Prescribing 376<br>sexual Misconduct 67<br>Miscellaneous 443<br><br>Number of Complaints Received:<br>FY 2005: 780<br>FY 2006: 770 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2004 | Number of Complaints Received online |
|---|---|
| Actions by another jurisdiction 68<br>Incompetency/Unethical Conduct 1260<br>Unprofessional Conduct 1320<br>Illness 154<br>Non-Jurisdictional 22<br>Medical Records 111<br>Becoming Addicted 32<br>Prescribing 181<br>sexual Misconduct 83<br>Miscellaneous 407<br><br>Number of Complaints Received:<br>FY 2003: 941<br>FY 2004: 890 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2002 | Number of Complaints Received online |
|---|---|
| Actions by another jurisdiction 48<br>Incompetency/Unethical Conduct 488<br>Unprofessional Conduct 1088<br>Illness 121<br>Non-Jurisdictional 50<br>Medical Records 123<br>Becoming Addicted 21<br>Prescribing 191<br>sexual Misconduct 85<br>Miscellaneous 328<br><br>Number of Complaints Received:<br>FY 2001: 775<br>FY 2002: 835 | N/A |

Requirement (3) the number and age of complaints open at the end of the period

**Minnesota Board of Medical Practice**
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or<br>> One year] |
|---|---|
| FY2007: 750<br>FY2008: 779<br>Total: 1529 | 197 < 1 year<br>128 > 1 year |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or<br>> One year] |
|---|---|
| FY2007: 750<br>FY2008: 779<br>Total: 1529 | 436 < 1 year<br>168 > 1 year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006<br>[listed by < one year or<br>> One year] |
|---|---|
| FY2005: 716<br>FY2006: 621<br>Total: 1337 | 383 < 1 year<br>124 > 1 year |

| Number of Complaints Closed in biennium ending June 30, 2004 | Number of Complaints Open as of June 30, 2004<br>[listed by < one year or<br>> One year] |
|---|---|
| FY2003: 877<br>FY2004: 936<br>Total: 1813 | 299 < 1 year<br>73 > 1 year |

| Number of Complaints Closed in biennium ending June 30, 2002 | Number of Complaints Open as of June 30, 2002<br>[listed by < one year or<br>> One year] |
|---|---|
| FY2001: 863<br>FY2002: 805<br>Total: 1668 | 379 < 1 year<br>60 > 1 year |

**Requirement (4) receipts, disbursements, and major fees**

**Minnesota Board of Medical Practice**
Receipts, Disbursements and Major Fees

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2010 |
|---|---|
| $9,335,076 | $7,770,120 |

| Fees 2008 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2008 |
|---|---|
| $9,084,669 | $7,310,960 |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2006 |
|---|---|
| $8,687,292 | $7,545,914 |

| Fees 2004 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2004 |
|---|---|
| $8,323,026 | $8,307,901 |

| Fees 2002 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2002 |
|---|---|
| $7,976,400 | $6,202,554 |

Refer to next page for detail RECEIPT AND DISBURSEMENT OF BOARD FUNDS.

| | | FY2001 | FY2002 | FY2003 | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | TOTAL DISBURSEMENTS (DIRECT & INDIRECT COSTS) | 3,105,100 | 3,097,454 | 4,749,117 | 3,558,784 | 3,950,965 | 3,594,949 | 4,029,415 | 3,281,545 | 4,392,310 | 3,377,810 |
| | TOTAL FEE RECEIPTS | 3,864,224 | 4,112,176 | 4,105,064 | 4,217,962 | 4,383,653 | 4,303,639 | 4,427,542 | 4,657,127 | 4,843,566 | 4,491,510 |
| | DESCRIPTION | ACTUAL RECEIPTS FY2002 | ACTUAL RECEIPTS FY2002 | ACTUAL RECEIPTS FY2003 | ACTUAL RECEIPTS FY2004 | ACTUAL RECEIPTS FY2005 | ACTUAL RECEIPTS FY2006 | ACTUAL RECEIPTS FY2007 | ACTUAL RECEIPTS FY2008 | ACTUAL RECEIPTS FY2009 | ACTUAL RECEIPTS FY2010 |
| | TELEMEDICINE REGISTRATION | 0 | | 8,100 | 3,200 | 5,900 | 6,300 | 5,300 | 5,700 | 4,500 | 14,800 |
| | TELEMEDICINE CERTIFICATION | 0 | | 6,225 | 7,050 | 10,608 | 13,075 | 14,346 | 17,190 | 16,135 | 27,583 |
| 5194 | MIDWIFERY CERTIFICATION | 0 | | 0 | 200 | 1,350 | 3,175 | 3,375 | 1,550 | 2,075 | 1,275 |
| 5195 | MIDWIFERY LATE FEE | 0 | 0 | 25 | 0 | 0 | 0 | 50 | 25 | 0 | 0 |
| 5196 | MIDWIFERY TEMP PERMIT | 0 | 0 | 75 | 0 | 225 | 150 | 75 | 75 | 150 | 150 |
| 5197 | MIDWIFERY ANNUAL LICENSE | 0 | 0 | 0 | 0 | 75 | 0 | 0 | 0 | 0 | 75 |
| 5198 | MIDWIFERY INACTIVE STATUS | 800 | 1,300 | 400 | 1,100 | 1,800 | 1,500 | 1,600 | 1,100 | 1,300 | 1,400 |
| 5199 | MIDWIFERY APPLICATION | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5200 | MD ANNUAL REGISTRATION | 200 | 100 | 0 | 300 | 300 | 200 | 100 | 0 | 200 | 300 |
| 5201 | MD APPLICATION FEE | 3,035,438 | 3,254,997 | 3,227,297 | 3,394,304 | 3,498,377 | 3,466,012 | 3,561,586 | 3,668,248 | 3,767,424 | 3,844,464 |
| 5202 | EXAM ADMINISTRATIVE FEE | 231,326 | 230,400 | 216,800 | 215,200 | 206,400 | 222,000 | 234,200 | 240,675 | 237,800 | 236,600 |
| 5203 | MD TEMPORARY LICENSE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5204 | MD ENDORSEMENT FEE | 38,100 | 39,180 | 36,360 | 33,900 | 35,540 | 38,400 | 39,300 | 39,000 | 37,200 | 35,760 |
| 5205 | MD CERTIFICATION | 1,270 | 1,230 | 1,865 | 1,520 | 535 | 2,470 | 2,070 | 1,000 | 1,670 | 835 |
| 5206 | MD VERIFICATION | 55,900 | 54,660 | 57,605 | 60,045 | 54,680 | 52,950 | 48,440 | 58,235 | 60,895 | 65,760 |
| 5207 | MD LATE FEES | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5208 | MD RESIDENCY PERMIT | 43,800 | 42,480 | 36,000 | 32,660 | 28,860 | 31,472 | 35,040 | 33,180 | 30,960 | 27,420 |
| 5209 | DEFERMENT FEE | 15,415 | 15,385 | 15,975 | 15,935 | 16,310 | 16,795 | 16,380 | 17,355 | 16,670 | 16,285 |
| 5210 | EMERITUS REGISTRATION | 0 | 0 | 0 | 0 | 0 | n/a | n/a | n/a | n/a | n/a |
| 5211 | PA ANNUAL REG w/PRES | 450 | 850 | 700 | 650 | 1,050 | 650 | 750 | 900 | 1,242 | 850 |
| 5212 | PA APPLICATION FEE | 72,557 | 103,721 | 106,109 | 114,134 | 133,545 | 143,464 | 151,396 | 175,798 | 195,369 | 208,749 |
| 5216 | PA CERTIFICATION FEE | 10,920 | 13,680 | 8,520 | 11,550 | 14,040 | 17,400 | 16,320 | 21,120 | 19,680 | 22,440 |
| 5217 | PA VERIFICATION FEE | 1,725 | 1,550 | 1,325 | 1,200 | 1,950 | 1,450 | 1,575 | 1,700 | 1,750 | 3,050 |
| 5218 | PA LATE FEE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5226 | RT'S ANNUAL LICENSE RENEWAL | 2,200 | 4,450 | 3,900 | 2,510 | 1,350 | 1,950 | 1,510 | 1,500 | 1,450 | 1,000 |
| 5227 | RT'S APPLICATION FEE | 118,860 | 135,360 | 136,019 | 131,260 | 144,402 | 138,127 | 146,166 | 156,186 | 157,003 | 160,369 |
| 5229 | RT'S CERTIFICATION FEE | 10,400 | 11,300 | 11,200 | 7,400 | 11,700 | 12,600 | 13,500 | 12,500 | 9,200 | 10,700 |
| 5230 | RT'S TEMPORARY PERMIT | 1,020 | 1,725 | 1,650 | 2,450 | 1,650 | 1,575 | 2,750 | 2,300 | 1,675 | 1,525 |
| 5231 | RT'S LATE FEE | 2,460 | 2,460 | 2,940 | 1,740 | 3,300 | 3,360 | 4,200 | 3,600 | 2,940 | 4,440 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 5233 | AT APPLICATION FEE | 34,131 | 57,232 | 51,137 | 48,101 | 57,002 | 53,628 | 53,991 | 64,500 | 65,064 | 62,680 |
| 5234 | AT TEMPORARY PERMIT | 3,600 | 3,313 | 4,000 | 3,400 | 3,200 | 4,450 | 3,300 | 4,500 | 3,050 | 3,400 |
| 5235 | AT CERTIFICATION FEE | 1,800 | 1,150 | 1,650 | 1,300 | 1,350 | 2,250 | 1,750 | 2,600 | 1,800 | 2,100 |
| 5236 | AT LATE FEE | 725 | 625 | 475 | 350 | 475 | 325 | 500 | 550 | 500 | 775 |
| 5237 | CIVIL PENALTIES | 900 | 1,425 | 895 | 720 | 645 | 915 | 945 | 1,215 | 855 | 765 |
| 5238 | MISCELLANEOUS | 29,379 | 42,482 | 75,573 | 37,340 | 73,670 | 28,801 | 25,569 | 14,161 | 94,368 | 41,712 |
| 5239 | DUPLICATES | 21,884 | 4,989 | 2,294 | 1,815 | 1,840 | 811 | 487 | 1,361 | 593 | 575 |
| 5240 | EDUCATION APPROVAL | 2,520 | 2,660 | 2,960 | 3,440 | 3,720 | 3,460 | 4,625 | 4,400 | 4,020 | 4,120 |
| 5241 | COMPETIVE ATHL EVENT | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5242 | MEDICAL CORP ANNUAL | 0 | 50 | 0 | 50 | 50 | 150 | 0 | 0 | 0 | 0 |
| 5243 | CORP APPLICATION | 12,575 | 12,350 | 12,725 | 9,425 | 12,950 | 12,825 | 13,025 | 12,300 | 10,925 | 11,700 |
| 5245 | ACUPUNCTURE ANNUAL REG | 2,500 | 2,600 | 3,300 | 2,200 | 3,700 | 2,800 | 2,020 | 2,300 | 3,000 | 3,000 |
| 5246 | ACUPUNCTURE APPL | 23,600 | 29,275 | 32,600 | 34,825 | 45,204 | 43,254 | 48,576 | 54,038 | 57,954 | 63,414 |
| 5247 | ACUPUNCTURE CERTIFICATN | 5,250 | 4,200 | 4,800 | 5,700 | 7,050 | 5,250 | 6,150 | 6,150 | 7,050 | 6,900 |
| 5248 | ACUPUNCTURE LATE FEE | 175 | 150 | 100 | 375 | 375 | 300 | 425 | 275 | 450 | 450 |
| 5249 | ACUPUNCTURE TEMPORARY | 450 | 450 | 650 | 300 | 310 | 600 | 900 | 1,250 | 1,400 | 1,050 |
| 5250 | ACUPUNCTURE INACTIVE STATUS | 1,020 | 1,080 | 1,260 | 1,620 | 2,040 | 1,380 | 2,040 | 2,220 | 2,400 | 2,280 |
| 5251 | PA ANNUAL REG / NO PRES | 150 | 200 | 100 | 50 | 50 | 50 | 0 | 0 | 0 | 0 |
| 5252 | PA TEMPORARY PERMIT | 5,368 | 6,594 | 5,520 | 5,694 | 1,419 | 1,110 | 5,002 | 2,415 | 854 | 3,450 |
| 5253 | PA TEMPORARY REG | 4,380 | 5,965 | 3,780 | 4,800 | 5,035 | 7,260 | 6,420 | 9,410 | 8,345 | 9,180 |
| 5254 | PA LOCUM TENENS PERMIT | 2,990 | 2,875 | 2,530 | 2,360 | 1,840 | 1,840 | 690 | 1,150 | 690 | 0 |
| 5255 | RCP TEMP REGISTRATION | 0 | 0 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5256 | RCP INACTIVE STATUS | 1,650 | 1,830 | 2,310 | 2,610 | 3,480 | 2,970 | 2,340 | 3,690 | 2,340 | 900 |
| 5257 | REPORT GENERATION | 50 | 150 | 150 | 50 | 50 | 50 | 100 | 150 | 0 | 0 |
| 5258 | AT TEMP REGISTRATION | 0 | 11,655 | 14,330 | 9,780 | 10,127 | 8,180 | 5,875 | 5,980 | 8,020 | 7,795 |
| 5259 | PRIMARY VERIFICATION | 100 | 300 | 400 | 300 | 300 | 300 | 300 | 400 | 200 | 300 |
| 5265 | NATUROPATHIC CERTIFICATION FEE | 0 | | | | | 175 | 150 | 175 | 100 | 125 |
| 5266 | NATUROPATHIC APPLICATION | 0 | | | | | | | | | 0 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 5267 | NATUROPATHIC ANNUAL REGIS-TRATION | 0 | | | | | | | | | 5,200 |
| 5268 | NATUROPATHIC LATE FEE | 0 | | | | | | | | | 3,900 |
| 5269 | NATUROPATHIC INACTIVE STATUS | 0 | | | | | | | | | 0 |
| 5270 | NATUROPATHIC TEMPORARY PERMIT | 0 | | | | | | | | | 0 |
| 5271 | NATUROPATHIC EMERITUS | 0 | | | | | | | | | 125 |
| 8215 | ENT LICENSURE SURCHARGE | 0 | | | | | | | | | (431,665) |
| 8310 | EZGOV FEE | 0 | | | | | | | | | 0 |
| 8346 | CRDT CRD CLR | 0 | 0 | 0 | 0 | (5,060) | (7,953) | (8,012) | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 | (23,566) | (48,717) | (52,692) | 0 | 0 | 0 |
| 5244 | ***SEMINAR/ WORKSHOP*** | 62,936 | | | | | | | | | |
| | TOTAL FEE RE-CEIPTS | **3,864,224** | **4,112,176** | **4,105,064** | **4,217,962** | **4,383,653** | **4,303,639** | **4,427,542** | **4,657,127** | **4,843,566** | **4,491,510** |

**Minnesota Board of Medical Practice**

**BMP Mission**

The board's mission is to protect the public by extending the privilege to practice to qualified applicants, and investigating complaints relating to the competency or behavior of individual licensees or registrants.

The Board of Medical Practice is made up of 11 physicians and 5 public members, all of whom are appointed by the governor. Approximately 17,100 physicians are licensed by the Board of Medical Practice and the board also regulates acupuncturists, athletic trainers, physician assistants, respiratory care practitioners, traditional midwives, and professional firms.

Currently, graduates from US medical schools must complete a one year residency program and pass the national standardized examination to be licensed in Minnesota. Foreign graduates must pass their examinations and complete two years of residency training in the United States or Canada. The board also considers other information provided by the applicant and may conduct interviews before a license is granted.

**BMP Functions**

Setting and administering educational and examination standards for initial and continuing licensure or registration for each health profession regulated by the Board

- Setting licensure requirements through the legislative process.
- Selecting the licensing examination to assure an adequate candidate knowledge base.
- Reviewing individual applicant/licensee documentation to determine eligibility for initial and continuing licensure.
- Constantly reviewing statutes as well as working with professional organizations to assure current, up-to-date-laws, keeping pace with new or continuously changing professions.
- Working with Advisory Councils to set standards for initial and continuing licensure for each health profession regulated.
- Ensuring that initial and continuing licensure activities comply with relevant federal laws (e.g. Americans with Disabilities Act).

Pursuing educational or disciplinary action with licensees as deemed necessary based upon results of investigations conducted in response to complaints/reports

- Providing applicants and licensees education to improve practice and assure compliance with the statutes.
- Conducting audits of continuing education to assure continuing competency as well as compliance with the law.
- Working with Advisory Councils to direct and review investigations and provide advice in resolving issues and enforcing the statutes.

Providing information and education about licensure requirements and procedures and standards of practice to the public, the health care community, and other interested clientele

- Providing information to the health care community and other interested clientele concerning licensure requirements as well as information on licensees.
- Providing information about licensure requirements to prospective applicants for licensure.
- Providing information to licensees to assure compliance with the law through newsletters, websites, and meetings.

- Providing information to licensees, health care community, the general public, and other interested clientele regarding licensure laws as well as related laws.
- Working with the Advisory Councils to disseminate information to licensees, general public, health care facilities and other interested clientele.

Providing information and education about licensure requirements and procedures and standards of practice to the public, the health care community, and other interested clientele

Providing information to the health care community and other interested clientele concerning licensure requirements as well as information on licensees.
Providing information about licensure requirements to prospective applicants for licensure.
Providing information to licensees to assure compliance with the law through newsletters, websites, and meetings.
Providing information to licensees, health care community, the general public, and other interested clientele regarding licensure laws as well as related laws.
Working with the Advisory Councils to disseminate information to licensees, general public, health care facilities and other interested clientele.

**Responding to inquiries, complaints and reports from the public and other health care regulators regarding licensure and conduct of applicants, permit holders, licensees and unlicensed practitioners**

Accepting complaints and reports from the public, health care providers, and regulators.
Deciding whether a complaint or inquiry is jurisdictional and, if so, whether and what type of action to pursue to resolve the matter.
Referring inquiries and complaints to other investigative, regulatory or assisting agencies.
Responding to complainants and agency reports by informing the complainants/agencies of action taken to resolve their complaints while observing provisions of the data practices act regarding the legal status of data obtained during the course of an investigation and disciplinary proceeding.

**Pursuing educational or disciplinary action with licensees as deemed necessary based upon results of investigations conducted in response to complaints/reports**

Setting standards of conduct and a basis for disciplinary action through the rules process.
Seeking information directly from the licensee and securing investigative and fact finding information from other agencies in response to complaints or inquiries.
Holding conferences with licensees to identify their role and responsibility in a matter under investigation.
Providing applicants and licensees education to improve practice and prevent recurrence of problems.
Obtaining disciplinary action through either voluntary agreement or through a due process, contested case hearing and potential court action.

**BMP Major Activities During the Biennium**

**Stakeholder Surveys**

As part of the Board's strategic plan, surveys of complainants and licensees who had been through the boards' complaint review and disciplinary process were conducted in 2009.
Board staff surveyed 100% of licensees who had licenses unconditionally reinstated from disciplinary action or who had satisfied Agreements for Corrective Action one to two years prior to the survey. Almost 50% of the licensees who received a survey submitted responses. Most responders agreed or strongly agreed that they were treated professionally and fairly throughout the investigative and compliance processes.

100% of licensees who participated in a Medical Coordinator Conference as a result of complaints were surveyed. 25% percent of licensees who received a survey submitted a response. Responders uniformly agreed or strongly agreed that they were treated professionally and fairly by the Medical Coordinator and board and the Attorney General's Office staff during the investigative process.

10% of licensees who were subject to a closed or dismissed complaint one to two years prior were randomly selected to be surveyed. Approximately 20% of licensees who received the surveys submitted a response. Most responders agreed or strongly agreed that they were treated professionally, had an adequate opportunity to address the complaints and found the overall process satisfactory.

10% of complainants whose complaints had been resolved one to two years prior were randomly selected to be surveyed. Almost 30% of complainants who received surveys submitted a response. Because of data practice limitations, which prevent the board from sharing complete investigative data and deliberative information with complainants, it was not surprising that some complainants criticized the board for failing to provide more detailed information. Some responders accused the board of protecting regulated professionals and implied or stated that the board fails to protect patients and the public. Half of the responders indicated that they were treated in a professional manner by board staff and the Attorney General's Office and some responders were highly complementary of the board.

**Educational Outreach**

In this biennium, board members and staff have delivered six speaker bureau presentations on behalf of the Minnesota Board of Medical Practice on the topic of the use of Opioids in pain management. These Presentations were made in:

- July 2008 St. Luke's Hospital, Duluth, MN
- May 2009 Northpoint Medical Clinic, Minneapolis, MN
- October 2009 St. Luke's Hospital, Duluth, MN
- October 2009 Allina Clinic, Minneapolis, MN
- March 2010 Board Offices, Minneapolis, MN
- April 2010 Board Offices, Minneapolis, MN

Over 160 physicians attended these seminars.

The Board has undertaken educational outreach in this area because of the number of complaints and resulting disciplinary actions seen by its Complaint Review Committees resulting from the inappropriate use of Opioids in the treatment of chronic pain.

## BMP Website features:

Health professional database online search, physician and physician assistant profile search with disciplinary action document posting, physician specialty search, online license renewal, online address update and profile update, physician license verification, physician initial application via FSMB (Federation State Medical Board), application forms download, news release, public board meeting announcement/meeting minutes posting, Statute and rules posting.

### Emerging Issues

Although there is no data to show that physician incompetence is a real problem, there is a growing perception that physicians should be required to demonstrate competence on a regular basis and that the enforcement of this responsibility should be placed within the jurisdiction of state medical boards.

In 2003 the Federation of State Medical Boards authorized a Special Committee on Maintenance of Licensure to make recommendations on what requirements, other than the current CME requirements, should be placed on state medical boards for renewal of physician licenses.

In 2005 the Minnesota Board of Medical Practice formed a Taskforce on Continuing Competency and Maintenance of Licensure to address this issue. The Taskforce met eight times between August 2006 and October 2008. The Taskforce recommendations are set forth in a paper written by the Taskforce Chair, former Board Member Linda L. Van Etta, MD, FACP, entitled The Evolving Paradigm – Tying Physician Demonstration of Continuing Competency to Maintenance of Licensure: What Minnesota Learned. In that report, Dr. Van Etta stated the Taskforce recommendations. "The Taskforce recommended that no changes be made at present to the requirements for licensure in the State of Minnesota. Rather, the Minnesota Board should closely monitor and influence the ongoing maintenance of licensure initiatives at the Federation of State Medical Boards. Because no body of data currently exists showing that board recertification results in improved patient care and outcomes, any changes to maintenance of licensure requirements should be evolutionary, not revolutionary."

The Minnesota Board of Medical Practice's Taskforce on Maintenance of Licensure and Continuing Competency will continue to monitor and study this issue. The Taskforce is scheduled to meet in October 2010 to review the recommendations of the Federation of State Medical Boards' Special Committee on Maintenance of Licensure. Once that meeting is held, the Taskforce will decide on future actions.

### Contested Case Activity

The Board of Medical Practice began this biennium with eight contested cases on file with the Office of Administrative Hearings. During the biennium, the board filed an additional fourteen Notices of Hearing.

During the biennium, twelve of those cases resulted in a settlement for disciplinary action (stipulation and order) either prior to, or as a result of mediation.

Four cases received a hearing with the Office of Administrative Hearing and oral arguments before the board. Each of the four contested cases argued before the board resulted in a disciplinary order.

At the end of the biennium, three cases were pending with the Office of Administrative Hearings. The remaining three cases filed in the biennium are not yet scheduled for hearing.

### National Leadership

The Minnesota Board of Medical Practice continues to provide leadership at the national level.

In 2009 board member Jon Thomas, MD, MBA was re-elected to the Board of Directors of the Federation of State Medical Boards for a three-year term. Board member Gregory Snyder, MD, DABR, was elected to the Federation of State Medical Boards' Nominating Committee. Board member Steven Altchuler, MD, Ph.D, was appointed to the Board of Directors of the Federation of State Medical Boards' Foundation. The Board's Executive Director Robert A. Leach, JD, continued eight years of service on the National Board of Medical Examiners Committee on Irregular Behavior and Score Validity for the United States Medical Licensing Examination.

**Board Members**

The board is comprised of 16 members; ten members must be Minnesota licensed physicians with doctor of medicine degrees. One member must be a doctor of osteopathy, and the remaining five members are members of the public. Board members are appointed by the governor. Also, the overall make-up of the Board must reflect a state geographic balance, and the physician members must reflect the broad mix of expertise of physicians practicing in Minnesota. All members serve terms of four years; no member may serve more than eight consecutive years.

The Board holds regular business meetings every other month, with dates reserved on the alternate months for disposition of special legal issues. The full Board meets on Saturdays scheduled one year in advance.

Complaint Review Committee

Committee members review complaints filed against health professionals regulated by the Board, and make decisions regarding the investigation of the complaints and make decisions and recommendations regarding the proper disposition of the complaints. The Complaint Review Committees typically meet monthly on weekdays, with the specific dates of the meetings established by committee members. Complaint Review Committees are comprised of two physician members and one public member.

Licensure Committee

Committee members review applications for licensure or registration made by health professionals regulated by the Board, and make decisions and recommendations regarding the granting of licensure or registration. The Licensure Committee typically meets every other month on weekdays or weekday evenings. The Licensure Committee is comprised of four physician members and one public member.

Policy and Planning Committee

Committee members review and make decisions and recommendations regarding policy issues facing the Board, including legislative matters, promulgation of administrative rules, educational outreach, public information resources, etc. The Policy and Planning Committee meets quarterly, typically on weekday evenings. The Policy and Planning Committee is comprised of at least two physician members and at least two public members.

Designated Board Member Activities

Board members are asked to meet periodically with licenses that are under Board disciplinary orders. Responsibilities typically include:

- Meeting quarterly with the assigned licensee;
- Reviewing the Board Order with the licensee to ensure compliance, and;
- Completing appropriate report forms after each meeting, and providing the forms and information on any possible violations of the Order to the Board staff after each meeting.
- Board members typically serve on one committee and the total time commitment ranges from three to four days per month.

BMP Members Fiscal Years 2009 and 2010 (7/1/2008 through 6/30/10)

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappoin ment |
|---|---|---|---|---|---|
| Alfred Anderson, MD, DC | Prior Lake | Medical Doctor | Physician | 09/03 | 04/07 |
| Keith Berge, MD | Rochester | Medical Doctor | Physician | 09/08 | Term not over |
| Debbie Boe | Chaska | Administrator | Public member | 03/10 | Term not over |
| Robert Brown, PhD | Roseville | Administrator | Public member | 07/06 | Did not apply f reappointment |
| Mark Eggen, MD | Shoreview | Medical Doctor | Physician | 04/09 | Term not over |
| V. John Ella, JD | Robbinsdale | Attorney | Public member | 03/10 | Term not over |
| Sarah Evenson, JD, MBA | Plymouth | Attorney | Public member | 04/09 | Term not over |
| Jack Geller, PhD | Mankato | Educator | Public member | 07/06 | Not reappointed |
| Rebecca Hafner-Fogarty, MD, MBA | Avon | Medical Doctor | Physician | 06/06 | 1/10* |
| Subbarao Inampudi, MD | Minnetonka | Medical Doctor | Physician | 04/09 | Term not over |
| Bradley S. Johnson, MD | Woodbury | Medical Doctor | Physician | 03/04 | 8/08 |
| Kelli Johnson, MBA | St. Paul | Administrator | Public member | 08/08 | Term not over** |
| Ernest Lampe, II, MD | Mankato | Medical Doctor | Physician | 03/04 | 8/08 |
| James Langland, MD | Thief River Falls | Medical Doctor | Physician | 07/04 | 08/08 |
| Tammy McGee, MBA | Maple Grove | Administrator | Public member | 04/07 | Term not over |
| James Mona, DO | Hutchinson | Doctor of Osteopathy | Physician | 07/03 | 04/07 |
| Carl Smith, MD | Minnetonka | Medical Doctor | Physician | 02/01 | 04/05 |
| Gregory Snyder, MD | Minnetrista | Medical Doctor | Physician | 06/06 | 03/10 |
| Jon Thomas, MD, MBA | Vadnais Heights | Medical Doctor | Physician | 04/05 | 3/9/10*** |
| Tracy Tomac, MD | Duluth | Medical Doctor | Physician | 04/09 | Term not over |
| Linda Lee Van Etta, MD | Duluth | Medical Doctor | Physician | 02/01 | 04/05 |

*Rebecca Hafner-Fogarty, MD, MBA, was initially appointed to the board in January of 1998 and was reappointed in January of 2002. Dr. Hafner Fogarty resigned from the board in September of 2003. Dr. Hafner-Fogarty was again appointed to the board in March of 2004 and was reappointed in June of 2006.

**Kelli Johnson was initially appointed to the board in July of 2004 and reappointed in August of 2008. Due to a move from Minneapolis to St. Paul, Ms. Johnson was no longer eligible to serve on the board effective November of 2008. Ms. Johnson was reappointed to the board in March of 2010 representing St. Paul.

***Jon Thomas, MD, MBA was initially appointed to the board in February of 2001 and reappointed in April of 2005 and served an eight year term. Dr. Thomas was again appointed to the board in March of 2010 serving.

**BMP Staff**

Total Number of Employees: 24

Board staff name and job title:

| NAME | TITLE |
|---|---|
| Anderson, David | Network Administrator |
| Auld, Richard | Assistant Director |
| Boswell, Wendy | Licensure Specialist |
| Chelgren, Vicki | Licensure Specialist |
| Chu, Mark | Database Administrator |
| Dressel, Barb | Receptionist |
| Erickson, Mary | Senior Medical Regulation Analyst |
| Hayes, Pat | Licensure Coordinator |
| Hoffman, Jeanne | Licensure Supervisor |
| Hoye, Polly | Legal Analyst |
| Huntley, Elizabeth | Senior Medical Regulations Analyst |
| Huntley, Hilary | Student Worker |
| Kauppila, Lois | Office Manager |
| Kohanek, Cheryl | E.D. Administrative Assistant |
| Leach, Rob | Executive Director |
| LeClair, Maura | CRU Assistant |
| Luecke, Paul | Licensure Specialist |
| Marczewski, Bill | Medical Regulations Analyst |
| Martinez, Ruth | Complaint Review Unit Supervisor |
| Milla, Debbie | Accounting Officer |
| Patrikus, Helen | Medical Regulations Analyst |
| Prokop, Rachel | Licensure Specialist |
| Stuart, Karen | CRU Assistant |
| Wijesinha, Tony | Medical Regulations Analyst |

Statement of the Executive Director
Minnesota Board of Medical Practice

In 2008, the Minnesota Board of Medical Practice culminated 1 ½ years effort by adopting a new strategic plan. I am proud to report that in this biennium, we were able to achieve a number of goals which were set forth in that plan.

Over the past two years, we have increased the training and educational opportunities for board members and board staff. We have provided educational outreach for the practicing clinician in the area of the use of Opioids in the treatment of chronic pain. We generated surveys for both credentialed professionals who had been subjects of complaints and disciplinary actions as well as for members of the public who filed complaints with our office. These surveys provided valuable feedback on the kind of job we were doing from both perspectives.

I am also proud to report that we were once again successful in having two of our board members elected to office with the Federation of State Medical Boards, the national organization of state medical regulatory agencies. In addition, another board member was appointed to serve on the Federation of State Medical Boards Foundation. These elections and appointments continue a long history of leadership at the national level for our board.

The Board's Taskforce on Continuing Competency and Maintenance of Licensure continued its work to achieve a proactive approach to medical regulation. The Taskforce issued its report on the future of continuing competency in Minnesota written by Taskforce Chair Dr. Linda Van Etta, M.D., F.A.C.P. The Taskforce findings were presented at the Federation of State Medical Boards' Annual Meeting in Chicago, Illinois in April 2009. The Taskforce will continue in its efforts to find ways to ensure physician competency and public protection as a compliment to the historical reactive approach of complaint review and discipline.

Robert A. Leach, J.D.
Executive Director
Minnesota Board of Medical Practice

A. Health-Related Licensing Board Reports

Each health-related licensing board must prepare a report by October 15 of each even-numbered year. The report must be submitted to the administrative services unit serving the boards. The report must contain the following information for the two-year period ending the previous June 30:

Requirement (1): the number and type of credentials issued or renewed

Minnesota Board of Nursing

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed in the year ending June 30, 2010 | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| RN 83,728 | Type | Number | RN 33,934 91.4% |
| LPN 24,008 | Licenses | | LPN 8,815 84.0% |
| Total 107,736 | RN | 6,042 | Total 42,749 89.8% |
| | LPN | 1,688 | |
| | Total | 7,730 | |
| | Permits | | |
| | RN | 4,959 | |
| | LPN | 175 | |
| | Total | 5,134 | |
| | Renewals | | |
| | RN | 37,131 | |
| | LPN | 10,491 | |
| | Total | 47,622 | |
| | PHN Certificates | 700 | |
| | APRN Registration | | |
| | Certified Nurse Practitioners | 2,542 | |
| | Certified Registered Nurse Anesthetists | 1,576 | |
| | Clinical Nurse Specialists | 511 | |
| | Certified Nurse-Midwives | 217 | |
| | Total | 4,846 | |

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed in the year ending June 30, 2009 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2009 | |
|---|---|---|---|
| RN 80,325<br>LPN 23,966<br>Total 104,291 | Type<br>Licenses<br>RN<br>LPN<br>Total<br><br>Permits<br>RN<br>LPN<br>Total<br><br>Renewals<br>RN<br>LPN<br>Total<br><br>PHN Certificates<br>APRN Registration<br>Certified Nurse Practitioners<br>Certified Registered Nurse Anesthetists<br>Clinical Nurse Specialists<br>Certified Nurse-Midwives<br>Total | Number<br><br>5,124<br>1,853<br>6,977<br><br><br>922<br>207<br>1,129<br><br>37,046<br>10,520<br>47,566<br><br><br>602<br><br>2,386<br><br>1,537<br>510<br>218<br>4,651 | RN 33,307 89.9%<br>LPN 8,607 81.8%<br>Total 41,914 88.1% |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed in the year ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 [by type, if available] | |
|---|---|---|---|
| RN 77,950<br>LPN 23,642<br>Total 101,592 | Type<br>Licenses<br>RN<br>LPN<br>Total<br><br>Permits<br>RN<br>LPN<br>Total<br><br>Renewals<br>RN<br>LPN<br>Total<br><br>PHN Certificates<br>APRN Registration<br>Certified Nurse Practitioners<br>Certified Registered Nurse Anesthetists<br>Clinical Nurse Specialists<br>Certified Nurse-Midwives<br>Total | Number<br><br>5,245<br>1,688<br>6,933<br><br><br>1,276<br>276<br>1,552<br><br>34,830<br>10,378<br>45,208<br><br><br>493<br><br>2,312<br><br>1,547<br>499<br>214<br>4,572 | RN 30,799 88.4%<br>LPN 8,205 79.1%<br>Total 39,004 86.3% |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed in the year ending June 30, 2007 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2007 | |
|---|---|---|---|
| RN 75,508<br>LPN 23,493<br>Total 99,001 | Type<br>Licenses<br>RN<br>LPN<br>Total<br><br>Permits<br>RN<br>LPN<br>Total<br><br>Renewals<br>RN<br>LPN<br>Total<br><br>PHN Certificates<br>APRN Registration<br>Certified Nurse Practitioners<br>Certified Registered Nurse Anesthetists<br>Clinical Nurse Specialists<br>Certified Nurse-Midwives<br>Total | Number<br><br>5,628<br>1,651<br>7,279<br><br><br>1,885<br>325<br>2,210<br><br>34,045<br>10,315<br>44,360<br><br><br>507<br><br>2,170<br><br>1,643<br>498<br>214<br>4,525 | RN 29,424 86.4%<br>LPN 7,880 76.4%<br>Total 37,304 84.1% |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed in the year ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| RN 72,328<br>LPN 23,393<br>Total 95,721 | Type<br>Licenses<br>RN<br>LPN<br>Total<br><br>Permits<br>RN<br>LPN<br>Total<br><br>Renewals<br>RN<br>LPN<br>Total<br><br>PHN Certificates<br>APRN Registration<br>Certified Nurse Practitioners<br>Certified Registered Nurse Anesthetists<br>Clinical Nurse Specialists<br>Certified Nurse-Midwives<br>Total | Number<br><br>5,153<br>1,843<br>6,996<br><br><br>1,354<br>378<br>1,732<br><br>32,273<br>10,229<br>42,502<br><br><br>473<br><br>1,922<br><br>1,268<br>442<br>191<br>3,823 | RN 51,629 80.2%<br>LPN 13,891 67.8%<br>Total 65,520 77.2% |

Border state registry statistics

| License | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 |
|---|---|---|---|---|---|
| RN | 102 | 136 | 181 | 212 | 171 |
| LPN | 44 | 28 | 55 | 48 | 56 |

The Board initiated online renewal of licensure applications in 2002 and applications for initial licensure in 2004. Additional online services are available to licensees, applicants for licensure, authorized users from approved nursing education programs and members of the public. Among the services is the ability of a user to create a login account in order to check the status of an application in progress. The Board also supports credentialing activities by electronically exchanging nurse examination data with Pearson/VUE, the organization contracted by the National Council of State Boards of Nursing (NCSBN) to administer the nursing examination for its member boards, and by providing information to Nursys, NCSBN's database of national nurse licensure information.

Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| RN 993<br>LPN 457<br>Total 1,450 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| RN 903<br>LPN 582<br>Total 1,485 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| RN 810<br>LPN 514<br>Total 1,324 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| RN 765<br>LPN 476<br>Total 1,241 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| RN 796<br>LPN 524<br>Total 1,320 | 0 |

Approximately one-fifth of the complaint caseload has impaired practice as the primary grounds for discipline. When combined with the violations of board orders, impaired practice issues account for roughly one-third of the total caseload. Because of the risk to the public, the board seeks to act expeditiously in cases alleging impaired practice, particularly when the complaint alleges diversion of controlled substances.

Health Professionals Services Program

The Board operates the Health Professionals Services Program (HPSP), in collaboration with all health-related licensing boards and the Minnesota Department of Health occupational licensing division, for monitoring of licensees whose ability to practice may be impaired by the use of chemicals or as the result of a mental or physical condition.

The board had 282 referrals to the HPSP in FY2010 compared to 277 the previous year. One-third of the participants were board-referred with the remainder self-referred or referred by a third party. The total cost to the board for licensee's participation in the program was $828,032 for the biennium. The increased cost of HPSP to the board is a continuing trend.

Number of nurses referred to HPSP in FY 09 and FY10

| Nursing | 2009 | 2010 | TOTALS |
|---|---|---|---|
| REFERRALS | | | |
| Board Non-Discipline | 50 | 49 | 99 |
| Board Discipline | 44 | 49 | 93 |
| Self | 125 | 136 | 261 |
| Third Party | 58 | 48 | 106 |
| TOTAL | 277 | 282 | 559 |

Minnesota experienced an increase in fraudulent activity related to individuals applying for licensure. The fraudulent activity includes:

- Reporting graduation from a non-existent nursing school or submitted forged documents attesting to graduation from an approved program.
- Reporting employment at a non-existent facility.
- Submitting forged documents attesting to nursing licensure in another jurisdiction.

The Board also received reports of individuals being employed or seeking employment as a nurse without a Minnesota nursing license or permit.

Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or<br>> One year] |
|---|---|
| 1,368 | <514 >80 |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009<br>[listed by < one year or<br>> One year] |
|---|---|
| 1,438 | <589 >135 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or<br>> One year] |
|---|---|
| 1,152 | <625 >226 |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007<br>[listed by < one year or<br>> One year] |
|---|---|
| 1,168 | <614 >226 |
| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006<br>[listed by < one year or<br>> One year] |
| 1,029 | <739 >172 |

The Board received 2935 complaints in FY 2009 and 2010. This continues the trend of increasing numbers of complaints. To enhance public protection, the Board:

- Reduced the number of open complaints by more than 10%.
- Reduced the number of cases open for 12 months or less to more than 80% of the total cases.
- Reduced the average case processing time for RNs and LPNs to 194 days and APRNs to 266 days.
- Imposed 653 disciplinary and corrective actions in the biennium.

Age of Open Cases (A case may include one or more complaints against a licensee)

| Months | FY06 | FY07 | FY08 | FY09 | FY10 |
|---|---|---|---|---|---|
| <6 | 413 | 330 | 352 | 323 | 378 |
| 6-11 | 185 | 157 | 134 | 138 | 75 |
| 12-17 | 67 | 126 | 106 | 72 | 26 |
| 18-23 | 36 | 31 | 31 | 20 | 20 |
| 24-35 | 29 | 15 | 30 | 5 | 8 |
| >36 | 15 | 6 | 7 | 4 | 1 |
| Total Cases | 745 | 665 | 660 | 562 | 508 |

Receipts and disbursements of board funds

| Activity | FY2010 |
|---|---|
| Receipts | $5,663,406 |
| Appropriation – amount legislature approved agency to spend | $3,287,000 |
| Disbursements | |
| • Direct Costs | $3,098.483 |
| • Indirect Costs – Administrative Services Unit | $97,100 |
| • Indirect Costs – Health Professionals Services Program | $445,854 |
| • Indirect Costs Attorney General's Office | $395,640 |
| • Indirect Costs - HIV/HBV Department of Health Program | $172,847 |
| • Indirect Costs – Volunteer Health Care Providers Program | $9,516 |
| • Indirect Costs – Office of Mental Health Practice | $0 |
| • Indirect Costs – Statewide Indirect Costs – Department of Finance | $28,537 |
| Surplus (shortfall) | 1,415,429 |
| Transfer to DHS long term home and community based care employee scholarship fund | $0 |
| Transfer to Dept. of Health Education Loan Forgiveness Program | $0 |
| Transfer to Drive to Excellence | $0 |
| Transfer to General Fund | $235,836 |
| Transfer to OET for E-licensing | $540,361 |
| **Activity** | **FY2009** |
| Receipts | $5,250,288 |
| Appropriation – amount legislature approved agency to spend | $3,216,000 |
| Disbursements | |
| • Direct Costs | $3,214,457 |
| • Technology Project | $300,000 |
| • Indirect Costs – Administrative Services Unit | $90,060 |
| • Indirect Costs – Health Professionals Services Program | $478,738 |
| • Indirect Costs Attorney General's Office | $356,395 |
| • Indirect Costs - HIV/HBV Department of Health Program | $136,043 |
| • Indirect Costs – Volunteer Health Care Providers Program | $5,648 |
| • Indirect Costs – Office of Mental Health Practice | $1,468 |
| • Indirect Costs – Statewide Indirect Costs – Department of Finance | $41,920 |
| Surplus (shortfall) | $625,557 |
| Transfer to DHS long term home and community based care employee scholarship fund | $930,000 |
| Transfer to Dept. of Health Education Loan Forgiveness Program | $0 |
| Transfer to Drive to Excellence | $0 |
| Transfer to General Fund | $920,442 |
| Transfer to OET for E-licensing | $0 |

| Activity | FY2008 |
|---|---|
| Receipts | $5,064,959 |
| Appropriation – amount legislature approved agency to spend | $3,055,000 |
| Disbursements | |
| • Direct Costs | $2,776,070 |
| • Indirect Costs – Administrative Services Unit | $83,758 |
| • Indirect Costs – Health Professionals Services Program | $389,399 |
| • Indirect Costs Attorney General's Office | $422,973 |
| • Indirect Costs - HIV/HBV Department of Health Program | 125,832 |
| • Indirect Costs – Volunteer Health Care Providers Program | $451 |
| • Indirect Costs – Office of Mental Health Practice | $1,384 |
| • Indirect Costs – Statewide Indirect Costs – Department of Finance | $27,292 |
| Surplus (shortfall) | $1,237,800 |
| Transfer to DHS long term home and community based care employee scholarship fund | $930,000 |
| Transfer to Dept. of Health Education Loan Forgiveness Program | $0 |
| Transfer to Drive to Excellence | $0 |
| Transfer to General Fund | $0 |
| Transfer to OET for E-licensing | $0 |

| Activity | FY2007 |
|---|---|
| Receipts | $4,967,292 |
| Appropriation – amount legislature approved agency to spend | $2,567,000 |
| Disbursements | |
| • Direct Costs | $2,043,869 |
| • Nursing Operations Budget 1 | $390,000 |
| • Indirect Costs – Administrative Services Unit | $83,709 |
| • Indirect Costs – Health Professionals Services Program | $356,082 |
| • Indirect Costs Attorney General's Office | $488,912 |
| • Indirect Costs - HIV/HBV Department of Health Program | $93,396 |
| • Indirect Costs – Volunteer Health Care Providers Program | $494 |
| • Indirect Costs – Office of Mental Health Practice | $905 |
| • Indirect Costs – Statewide Indirect Costs – Department of Finance | $25,860 |
| Surplus (shortfall) | $1,484,067 |
| Transfer to DHS long term home and community based care employee scholarship fund | $864,000 |
| Transfer to Dept. of Health Education Loan Forgiveness Program | $200,000 |
| Transfer to Drive to Excellence | $1,514 |
| Transfer to General Fund | $0 |
| Transfer to OET for E-licensing | $0 |

| Activity | FY2006 |
|---|---|
| Receipts | $4,690,154 |
| Appropriation – amount legislature approved agency to spend | $2,356,000 |
| Disbursements | |
| • Direct Costs | $2,011,121 |
| • Nursing Operations Budget 1 | $5,000 |
| • Workshop budget | $5,400 |
| • Indirect Costs – Administrative Services Unit | $78,844 |
| • Indirect Costs – Health Professionals Services Program | $299,452 |
| • Indirect Costs Attorney General's Office | $474,688 |
| • Indirect Costs - HIV/HBV Department of Health Program | $84,003 |
| • Indirect Costs – Volunteer Health Care Providers Program | $392 |
| • Indirect Costs – Office of Mental Health Practice | $1,650 |
| • Indirect Costs – Statewide Indirect Costs – Department of Finance | $38,277 |
| Surplus (shortfall) | $1,691,327 |
| Transfer to DHS long term home and community based care employee scholarship fund | $392,000 |
| Transfer to Dept. of Health Education Loan Forgiveness Program | $125,000 |
| Transfer to Drive to Excellence | $0 |
| Transfer to General Fund | $0 |
| Transfer to OET for E-licensing | $0 |

The Board continues to collect more revenues than appropriated to spend resulting in a surplus each year.

Major Fees

| Service | Term | RN | LPN |
|---|---|---|---|
| Licensure by examination | Lifetime | $105 | $105 |
| Re-examination | N/A | $60 | $60 |
| Permit fee (exam applicants only) | 60 days | $60 | $60 |
| Licensure by endorsement | Lifetime | $105 | $105 |
| Registration renewal | Two years | $85 | $85 |
| Late renewal | N/A | $60 | $60 |
| Public Health Nurse certification | Lifetime | $30 | N/A |
| Verification to DEA for APRNs | N/A | $50 | N/A |
| Replacement license certificate | N/A | $20 | $20 |
| Replacement registration certificate | N/A | $5 | $5 |
| Verification of licensure status | N/A | $20 | $20 |
| Verification of examination scores | N/A | $20 | $20 |
| Copy of microfilmed licensure application materials | N/A | $20 | $20 |
| Nursing business registration:<br>• Initial<br>• Annual | One year | • $100<br>• $25 | N/A |
| Practicing nursing without current registration | Two times the amount of the current registration renewal fee ($85) for any part of the first calendar month, plus the current registration renewal fee ($85) for any part of any subsequent month up to 24 months. | | |
| Practicing without current APRN certification | $200 the first month or any part of and $100 each subsequent month or part thereof. | | |

| Service | Term | |
|---|---|---|
| Auto Verification Service subscription | One year | The fee is set according to a sliding scale based on the number of records included in the subscription, from $100 for 1-100 records to $1000 for a subscription consisting of over 5000 records. |
| Data requests | One cent per each record included in the file, plus a $5 file creation fee. | |
| eLicensing surcharge | Ten percent of the application fee for initial licensure by examination or endorsement ($10.50), renewal of RN or LPN registration ($8.50), and RN and LPN reregistration ($8.50). | |

The State of Health Occupation Regulation

Names and job classifications of board employees

| **Board** | **Number of Board Employees** | **Job Classifications** |
|---|---|---|
| Nursing | 1 | Administrative Officer |
| | 4 | Customer Service Specialist, Intermediate |
| | 1 | Executive Director |
| | 1 | Information Technology Specialist, 3 |
| | 1 | Information Technology Specialist, 4 |
| | 1 | Investigator |
| | 1 | Investigator Senior |
| | 1 | Investigation Supervisor |
| | 2 | Legal Analyst |
| | 2 | Nursing Education Specialist |
| | 3 | Office & Administrative Specialist |
| | 2 | Office & Administrative Specialist, Intermediate |
| | 1 | Office & Administrative Specialist, Principal |
| | 3 | Office & Administrative Specialist, Senior |
| | 1 | Paralegal |
| | 1 | Registered Nurse, Advanced Practice |
| | 5.5 | Registered Nurse, Senior |
| | 1 | State Program Admin |
| | 1 | State Program Admin Manager |
| Total | 33.5 | |

The Board of Nursing's mission is accomplished through five service areas: credentialing, education, discipline/ complaint resolution, nursing practice, and data services.

Credentialing Services: The Board licenses registered nurses, licensed practical nurses, advanced practice registered nurses, and public health nurses to assure the public that the individuals who practice nursing in Minnesota have the requisite education, competence, and ethical character to practice nursing safely and effectively.

Education Services: The Board promotes excellence of nursing education standards and approved nursing education programs by monitoring program graduation pass/fail rates on national nurse licensure examination; facilitating innovative approaches to address nursing workforce and nursing faculty shortages; providing consultation to nursing education programs regarding national nurse licensure examination pass rates; developing and conducting research to promote a safe, competent and sufficient nursing workforce; and advising prospective nursing students regarding educational tracks and scholarships.

Discipline/Complaint Resolution: The Board investigates complaints and takes action against nurses who violate the nurse practice act, removing nurses from practice who are a risk to patient safety and monitoring nurses whose practice requires remediation and oversight to assure public safety.

Nursing Practice Standards: The Board promotes standards of safe nursing practice by interpreting the laws and rules related to nursing practice for nurses, employers, and educators. The Board participates in nursing practice forums with nursing organizations and other state agencies to establish nursing performance guidelines so that employers and consumers can make informed decisions regarding the performance of nursing services.

Data Services: The Board responds to inquiries for aggregate and individual licensure and disciplinary data for purposes of emergency preparedness planning, a pending nurse shortage and increased demand for nursing services.

Nursing Education Program

| Number of Approved Licensure-Preparing Programs | |
|---|---|
| Practical Nursing | 26 |
| Associate Degree – Professional | 21 |
| Baccalaureate Degree – Professional | 18 |
| Master's Degree – Professional | 2 |

| Report of Persons Completing Licensure-Preparing Nursing Programs FY 2009 | |
|---|---|
| Practical Nursing | 1788 |
| Associate Degree – Professional | 2008 |
| Baccalaureate Degree - Professional | 943 |

On-site surveys, collection and review of annual reports, review of improvement plans submitted by programs, and analysis of the National Council Licensure Exam (NCLEX®) data were used to evaluate each nursing education programs' compliance with statutes and rules. Analysis of all available data provides a basis for the education reports submitted to the Board for decision-making.

The Board requires oversight of programs that have first time licensure exam (NCLEX®) success rates at 75% or below for a calendar year. Eleven nursing programs were below the minimum standard (75% or below) for first-time NCLEX® candidate success rates during calendar years 2008 and 2009 consecutive periods (2007 & 2008). One practical nursing program was below minimum standard for three consecutive periods (2006, 2007, & 2008).

Table 1. **Programs below minimum standard NCLEX®**

| Programs at 75% or below for first time licensure exam success rates | CY 2006 | Cy 2007 | CY 2008 | CY 2009 |
|---|---|---|---|---|
| First time below minimum standard | 3 (2 ADN & 1 PN) | 5 (4 ADN & 1 PN) | 3 (2 BSN & 1 PN) | 5 |
| Second consecutive time below minimum standard | 0 | 1 (1 PN) | 2 (2 ADN) | 0 |
| Third consecutive time below minimum standard | 0 | 0 | 1 | 0 |
| Total below minimum standard | 3 | 6 | 6 | 5 |

All programs with first-time NCLEX® candidate success rates of 75% or below for one calendar year were required to submit plans of corrective action. For programs below minimum standard for two consecutive calendar years, the Board required a revised plan of corrective action and conducted an on-site survey. An on-site survey for compliance of all applicable rules and for the implementation of the plan for corrective action was required for the program below minimum standard for three consecutive calendar years. As of CY 2009, all of these programs were above the minimum standard. The Board summarized data from the plans of corrective action and shared data with administrators from the MnSCU chancellor's office as well as the directors of the nursing programs.

The Board granted new program approval to the following five nursing education programs during FY 2009 through 2010:

1. Lake Superior Generic Professional Associate Degree Nursing Program, Duluth, MN
2. National American University Baccalaureate Degree Nursing Program, Bloomington, MN
3. Herzing University Baccalaureate Nursing Program, Crystal, MN
4. Metropolitan State University Entry-Level Master of Science Nursing Program, St. Paul, MN
5. Rasmussen College Associate Degree Nursing Program, Mankato, MN

Table 2. Approval of new licensure-preparing nursing programs

| Approval of New Programs | FY 07 - FY 08 | FY 09 - FY 10 |
|---|---|---|
| Practical Nursing | 1 | 0 |
| Professional Nursing – Associate Degree (ADN) | 3 | 2 |
| Professional Nursing – Baccalaureate Degree (BSN) | 2 | 2 |
| Professional Nursing- Master's Degree (MN) | 1 | 1 |
| Total | 7 | 5 |

Table 3. **Continuing approval of approved licensure-preparing nursing programs**

| Approval of New Programs | FY 07 - FY 08 | FY 09 - FY 10 |
|---|---|---|
| Practical Nursing | 7 | 4 |
| Professional Nursing – Associate Degree<br>Professional Nursing – Baccalaureate Degree<br>Professional Nursing- Master's Degree | 11 | 5 |
| Total | 18 | 9 |

The board initiated the program approval review task force in August 2009 with the charge to address the appropriate public protection role of the Board in approving nursing education programs, the currency and clarity of the program approval rules, and to determine whether there are alternative methods of program education that would accomplish the goals of public protection. On June 3, 2010, the board passed a motion to concur with the recommendation of the Task Force to develop program approval rules for Chapter 6301 of Minnesota Rules (MR) that specify accreditation by a national nursing education accreditation agency officially recognized by the U.S. Department of Education (DOE) as one of the requirements for final new program approval and renewal of program approval.

## Board Members

The Board of Nursing consists of 16 members appointed by the governor, each of whom must be a resident of this state. Eight members must be registered nurses, four members must be licensed practical nurses, and the remaining four members must be public members, as defined in *Minnesota Statutes 148.181.*

Current board committees and task forces:

- Criminal Background Check Task Force
- Executive Committee
- Medication Assistant Task Force
- Nursing Education Committee
- Nursing Practice Committee
- Program Approval Review Task Force

The Board meets six times in February, April, June, August, October, and December.

| Board Member Name | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|
| Jessie Daniels | Registered Nurse | Professional member | 4/22/2001 | 6/21/2005 |
| Jacqueline Dickie | Licensed Practical Nurse | Professional member | 7/8/2008 Resigned 1/16/2009 | |
| Marcia Farinacci | Retired | Public Member | 6/21/2005 | 8/31/2009 |
| Kathleen Haberman | Registered Nurse | Professional member | 1/30/2006 | 7/8/2008 |
| Michelle Harker | Retired | Public Member | 7/2/2007 | |
| Bradley Haugen | Registered Nurse | Professional member | 7/2/2007 | |
| Doris Hill | Registered Nurse | Professional member | 7/8/2003 | 7/2/2007 |
| Sandra Johnson | Registered Nurse | Professional member | 5/5/2004 Served until 7/7/2008 | |
| Kimberly Keilholtz | Workforce diversity consultant | Public member | 1/18/2002 | 7/6/2006 |
| Gregory Langason | Licensed Practical Nurse | Professional member | 7/8/2003 | 7/2/2007 |
| Lynne Linden | Registered Nurse | Professional member | 7/8/2008 | |
| Kristina Malone | Licensed Practical Nurse | Professional member | 4/22/2001 | 6/21/2005 |
| Linda Mattson | Licensed Practical Nurse | Professional member | 5/5/2004 Served until 7/7/2008 | |
| Glenda Moyers | Registered nurse | Professional member | 10/22/2001 | 7/6/2006 |
| Marybeth O'Neil | Registered Nurse | Professional member | 5/5/2004 Served until 7/7/2008 | |
| James Peterson | Attorney | Public member | 7/8/2008 | |
| Darin Prescott | Registered nurse | Professional member | 6/21/2005 | |
| Maria Raines | Registered Nurse in Advanced Practice | Professional member | 7/8/2008 | |
| Karen Trettel | Licensed Practical Nurse | Professional member | 1/18/2002 | 7/6/2006 |

Executive Director Narrative

The Board's mission is to protect the public's health and safety by providing reasonable assurance that the persons who practice nursing in Minnesota are competent, ethical practitioners with the necessary knowledge and skills appropriate to their title and role. Minnesota Statutes sections 148.171-148.285 provide the Board of Nursing with authority to regulate nursing practice for the purpose of public protection.

To accomplish this mission, the Board conducts business through four major service areas: credentialing, education, discipline/complaint resolution and nursing practice. However, there has been a significant increased de-

mand for aggregate and individual licensure and disciplinary data for purposes of emergency preparedness planning, workforce planning, shifting demographics, and increased demand for nursing services. Licensure and disciplinary data must be reported several Thus, data services are quickly becoming an important service area.

The Board has committed to its obligation of public protection by developing and implementing the following strategic initiatives:

- Assuring an ethical and competent nursing workforce through comprehensive credentials review and provision of a legally defensible nurse licensure examination.
- Establishing and conducting a complaint investigation process that is expedient, just and commensurate with the risk to public safety.
- Upholding standards for nursing education approval through consultation and survey.
- Interfacing with state, national and federal agencies, information systems and national nurse and regulatory organizations to analyze, utilize and disseminate data for evidence informed regulatory decisions.
- Collaborating in statewide initiatives on nursing practice, education, and patient safety.

Investigating and resolving complaints against nurses who violate the law or risk harm to patients continues to utilize the majority of fiscal and human resources. Nearly 3,000 complaints were processed in the FY2009-2010 biennium. Approximately half of the complaints are related to substance use disorders and diversion of narcotics, as well as abuse of prescription drugs. An increased number of imposters and fraud requires greater scrutiny to process applications for licensure. The Board collaborates with organizations which facilitate licensure of non -US educated nurses and other enforcement agencies. A Board Task Force recommended that the Board seek legislative authority to require federal criminal background checks for licensure.

Nurse licenses are issued within 24 hours of receipt of all evidence of requirements. In June 2010, the Board met the challenge of assuring the public of an adequate nurse workforce pending a strike of over 12,000 metro-area hospital nurses by processing over 5,000 applications for licensure by endorsement in approximately six weeks. This compared to an annual average of about 1,800 applications. The Board approved five new nursing education programs in FY2009-2010, which also serves to increase the nurse workforce in Minnesota.

The Board strives for excellence in regulation and to improve efficiencies. Benchmarks were established to reduce complaint resolution cycle time by 10% and reduce open cases by 20%. Both goals have been exceeded. A Task Force was convened to review the nursing education program approval rules and has recommended a major revision of the rules to assure currency and clarity and to address the appropriate public protection role of the Board. The Board conducted or partnered in three peer-review funded research projects related to transition to practice, RN delegation in long term care, and comparison of traditional and non-traditional nursing education programs. These research efforts provide evidence for informed regulatory decisions.

Maximizing technology to assure public safety is a sincere effort of the Board. Today, virtually all licensure services are available on-line, and approximately 90% of all license transactions are conducted online. Board disciplinary action data is available on the Board website within 24 hours. Verification of licensure is available 24x7. Employers receive reports on the up to date license status of their nurse employees through an automatic verification service. Thus, the public and employers are assured of a nurse's authority to practice and public protection is enhanced.

The Minnesota Board of Nursing is committed to public protection through proactive leadership in patient safety, evidence-informed regulation, congruence of education, practice and regulation for all levels of nursing practice, dissemination of data, and efficient, customer-centric delivery of services.

# A. Health-Related Licensing Board Reports

Statutory Requirement

214.07, Subd. 1b

**Subdivision 1b. Health-related licensing board reports.**

Each health-related licensing board must prepare a report by October 15 of each even-numbered year. The report must be submitted to the administrative services unit serving the boards. The report must contain the following information for the two-year period ending the previous June 30:

Requirement (1): the number and type of credentials issued or renewed

Minnesota Board of Examiners for Nursing Home Administrators

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010. (*As we renew on 6/30 of each year, the persons licensed in the left column is the same number as those renewing. The # listed are new credentials issued)* | Number and Percent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| 851 | Type<br>Nursing Home Administrator | Number<br>44 | # / Percent<br>715 / 90.5% |

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2009 | Number and Type of Credentials Renewed Online (# and percent) during biennium ending June 30, 2009 | |
|---|---|---|---|
| 846 | Type<br>Nursing Home Administrator | Number<br>46 | # / Percent<br>711 / 89.3% |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and percent) during biennium ending June 30, 2008 | |
|---|---|---|---|
| 831 | Type<br>Nursing Home Administrator | Number<br>43 | # / Percent<br>698 / 89.3% |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007 | Number and Type of Credentials Renewed Online (# and percent) during biennium ending June 30, 2007 | |
|---|---|---|---|
| 821 | Type | Number<br>37 | # / Percent<br>677 / 87.5% |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and percent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| 840 | Type | Number<br>36 | **# / Percent**<br>622 / 81.5% |

\

The board initiated online renewals on May 1, 2002. The licensees trust in the relationship created by the board members who provided insight in the creation of the electronic model. BENHA licensees were early adaptors to online services with nearly 50% of renewals completed online the first year to a consistent 88% to 90% in the past four years.
The online Administrator of Record data enhancement automatically notifies the BENHA board, the Minnesota Department of Health and Department of Human Services of changes when administrators begin or end their employment.
In 2010, the initial licensure process received a customer service rating of 9.28 out of 10 in measuring staff availability, knowledge, and response to information requests about licensure requirements and process. The office also had a rating of 9.6/10 to BENHA service and assistance during the application process.

Minnesota Board of Examiners for Nursing Home Administrators
Number of Complaints Received

| Number of Complaints Received (opened) by type in ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 78 | zero |

| Number of Complaints Received (opened) by type in ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 69 | zero |

| Number of Complaints Received (opened) by type in ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 78 | zero |

| Number of Complaints Received (opened) by type in ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 102 | zero |

| Number of Complaints Received (opened) by type in ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 108 | zero |

Minnesota Board of Examiners for Nursing Home Administrators
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 78 | 6 |
| 1. Complaints Open | 6 |
| 2. Open Less Than 3 Months | 2 |
| 3. Open 3 to 6 Months | 3 |
| 4. Open 6 to 12 Months | 1 |
| 5. Open More Than 1 Year (explain) | 0 |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009 |
|---|---|
| 69 | 4 |
| 1. Complaints Open | 4 |
| 2. Open Less Than 3 Months | 3 |
| 3. Open 3 to 6 Months | 1 |
| 4. Open 6 to 12 Months | 0 |
| 5. Open More Than 1 Year (explain) | 0 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 78 | 6 |
| 1. Complaints Open | 6 |
| 2. Open Less Than 3 Months | 2 |
| 3. Open 3 to 6 Months | 3 |
| 4. Open 6 to 12 Months | 1 |
| 5. Open More Than 1 Year (explain) | 0 |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007 |
|---|---|
| 102 | 4 |
| 1. Complaints Open | 4 |
| 2. Open Less Than 3 Months | 3 |
| 3. Open 3 to 6 Months | 1 |
| 4. Open 6 to 12 Months | 0 |
| 5. Open More Than 1 Year (explain) | 0 |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 106 | 9 |
| 1. Complaints Open | 9 |
| 2. Open Less Than 3 Months | 7 |
| 3. Open 3 to 6 Months | 2 |
| 4. Open 6 to 12 Months | 0 |
| 5. Open More Than 1 Year (explain) | 0 |

| Number of Complaints Closed in biennium ending June 30, 2005 | Number of Complaints Open as of June 30, 2005 |
|---|---|
| 95 | 17 |
| 1. Complaints Open | 17 |
| 2. Open Less Than 3 Months | 12 |
| 3. Open 3 to 6 Months | 5 |
| 4. Open 6 to 12 Months | 0 |
| 5. Open More Than 1 Year (explain) | 0 |

The Standards of Practice Committee is comprised of two long term care administrators with one non-administrator serving on this committee. They work diligently to assure the blending of public safety and licensee accountability in a timely and direct manner for both complainants and the subject of the complaint; LNHA. In over 95% of the time, the complaint is resolved within two meetings or approximately six months. As only board members serving on the complaint panel make the processing decision, the first meeting typically reviews the preliminary information and in a great majority of those cases is either dismissed or additional information is sought before the committee feels comfortable in dismissing or closing the case at the second meeting. The Standards of Practice Committee now meets on the same day as the regular quarterly board meeting to reduce travel, lodging and per diem expense. This past year, two additional SOPC meetings were held to assure timely processing.

The committee has incorporated 'just culture' principles whereas many of the complaints are resolved with professional quality improvement standards and educational re-direction, without escalating to a contested case. With many of the complaints, the corrective action is working towards better operational systems and therefore don't warrant formal individual administrative action. The committee holds the administrator accountable for willful disregard for resident safety. Administrative coaching and directed education is the approach used for a majority of cases involving unintentional, yet actual resident harm as a result of an employees' action. The administrator is held accountable for continuous quality improvement and root cause analysis to minimize future sentinel events.

In conjuncture with the Minnesota Department of Health liaison's role, the board studied two issues in this biennium: 1) the effect of the six month acting permit for a non-licensed administrator and 2) the initial review of the "Shared Administrator" for two or more facilities sharing the professional services of one administrator.

## V. Trend Data as of June 30

| Year | A. Persons Licensed | B. Complaints | C. Complaints Per 1,000 Licensees | D. Open Cases |
|---|---|---|---|---|
| 2010 | 851 | 78 | 91 | 12 |
| 2009 | 846 | 69 | 81 | 10 |
| 2008 | 840 | 78 | 90 | 6 |
| 2007 | 821 | 106 | 120 | 4 |
| 2006 | 840 | 106 | 126 | 9 |
| 2005 | 852 | 95 | 111 | 17 |
| 2004 | 856 | 124 | 144 | 13 |
| 2003 | 862 | 114 | 132 | 10 |
| 2002 | 859 | 100 | 117 | 5 |
| 2001 | 890 | 150 | 168 | 1 |
| 2000 | 910 | 135 | 148 | 14 |
| 1999 | 894 | 127 | 142 | 32 |
| 1998 | 935 | 40 | 43 | NA |
| 1997 | 904 | 34 | 38 | NA |
| 1996 | 838 | 150 | 178 | NA |
| 1995 | NA | 98 | NA | NA |
| 1994 | NA | NA | NA | NA |
| 1993 | NA | NA | NA | NA |
| 1992 | NA | 122 | NA | NA |
| 1991 | NA | 115 | NA | NA |

Minnesota Board of Examiners for Nursing Home Administrators
Receipts, Disbursements and Major Fees

| | |
|---|---|
| FY 2010 Receipts | 196,995 |
| FY 2010 Disbursements | 180,024 |

| | |
|---|---|
| FY 2009 Receipts | 199,055 |
| FY 2009 Disbursements | 184,061 |
| FY 2008 Receipts | 196,030 |
| FY 2008 Disbursements | 173,404 |

| | |
|---|---|
| FY 2007 Receipts | 187,900 |
| FY 2007 Disbursements | 174,912 |
| | |
| FY 2006 Receipts | 189,917 |
| FY 2006 Disbursements | 159,313 |

| | |
|---|---|
| FY 2005 Receipts | 193,424 |
| FY 2005 Disbursements | 164,064 |

| **Fee** | **Amount** |
|---|---|
| Application | $150 |
| Original License | $200 |
| Annual Renewal | $200 |
| Acting Administrator Permit | $250 |

The Minnesota Board of Examiners for Nursing Home Administrators' fees were last increased in 1995. Until recently, board members were committed to operational efficiency knowing that unspent budget was placed in the surplus account to delay fee increases or for litigation expense involving a contested case. The surplus or savings account amounted to delaying fee increases projected to 2015, however, BENHA may now be required to seek a fee increase in the next biennium due to the recent transfer, or sweeping, of funds. The board cannot support the transfer of funds totaling $116,084.00 to the General Fund for such things as the duplicative e-licensing system offered by the Office of Enterprise Technology. These actions do not instill fiduciary trust for the licensee community nor build confidence of board members. The Board resolved that fees collected should be spent on board operation or fees should be lowered. The Board continues to be proud of creating a shared electronic licensing model with other small boards. The cost and function are unequal when completing a competitor's analysis. This year, 90.5% of renewing licensees renewed online. Significant work has been completed in this biennium to create online applications scheduled for roll out in the next biennium.

The board has maintained its customer service standard of a phone, email or limited mailed response within 48 hours of any applicant/licensee request for information at above a 95% service level with its current staffing of 2.0 FTE.

Strategic Planning Completion:

The BENHA Four Year Strategic Plan was completed in this past biennium with all four goals being met. The four identified areas included:

#1: Goals towards addressing Assisted Living Administrator Credentialing

The provider and elder coalition working on this issue did not drive this forward. The board worked with both entities with significant re sources available on licensing models for future discussions.

#2: Goals directed towards initial academic training and practicum/field experience

An educational summit was held in this biennium with premier national leaders in long term care administration. Satisfaction is warranted that our models/requirements don't dissuade innovation while supporting academia. The state examination content was revised.

#3: Goals directed toward improving experienced administrators' continued competency

Online continuing education policies were reviewed with national (NAB) criteria used as the eventual standard. In 2010, the board completed 193 continuing education programs, from a high in 2004 of 211 reviewed programs, a decrease of 9%.

#4: Goals directed toward Board operations effectiveness

BENHA continued to serve in the coordinating role as the manager for the Administrative Services unit and coordinated the work of the Council of Health Boards. Four challenging reviews were completed with a full summary of the Council of Health Boards found on page…. BENHA plays an important coordinating role with emerging boards and those in transition.

Board Members

Statute requires the board to have 11 members. The names of persons holding the seats as of June 30, 2010, are as indicated below. The Board meets four times per year. The Standards of Practice Committee also meets quarterly. The Education, Exam, and Rules Committees meet only as needed at least once per year. The Education Committee also serves as the licensure committee reviewing course and practicum waiver requests as needed, along with the criteria used as approving academic centers for long term care administrators.

The following are appointed by the Governor for staggered four-year terms:

| | Appointment | Reappointment | To |
|---|---|---|---|
| 2 members engaged in management, operation, or ownership of proprietary nursing homes | | | |
| • James Birchem, LNHA Little Falls | 3/1/2004 | 4/18/2008 | to 1/2/2012 |
| • Thomas Pollock, LNHA Maple Grove | 5/15/2007 | | to 1/3/2011 |
| 2 members engaged in management or operation of nonprofit nursing homes | | | |
| • Kyle Nordine, LNHA Northfield | 4/19/2005 | 2/3/2009 | to 1/7/2013 |
| • Jennifer Pfeffer, LNHA, Mankato | 6/30/2006 | 1/28/2010 | to 1/6/2014 |
| 1 member engaged in the practice of medicine | | | |
| • Dr. Jane Pederson, MD Woodbury | 7/15/1996 | 2/3/2009 (5th term) | to 1/7/2013 |
| 1 member engaged in the practice of professional nursing | | | |
| • Nancy Tuders, RN Grand Rapids | 5/15/2007 | | to 1/3/2011 |
| 3 public members | | | |
| • Christine Rice, Lake Elmo | 6/25/2004 | 4/18/2008 | to 1/2/2012 |
| • Ann Tagtmeyer, Mendota Heights | 12/30/1999 | 4/18/2008 (3rd term) | to 1/2/2012 |
| • Chandra Mehrotra, Ph.D., Duluth | 5/15/2003 | 5/15/2007 | 1/3/2011 |

The following are appointed by the commissioners of Health and of Human Services and serve as non-voting designees of those commissioners

- Darcy Miner, Minnesota Department of Health
- Robert Held, Department of Human Services

## Executive Director Narrative

Dear Citizens of the Great State of Minnesota:
The Board of Examiners for Nursing Home Administrators (BENHA) fulfilled its mission for this biennium by *investing* in its future through thoughtful planning. As the only federally required health occupation board in Minnesota, the legislative requirement mandates a majority of board members be comprised of non-licensees. The board continues to influence better models of care in safe environments for tomorrow's elder care continuum.
Highlights for the past two years include the investment with the National Board of Long Term Care Administrators (NAB). This important relationship continued with the recent election of a Minnesota licensee to the Chair of the NAB Board and the Executive Director being elected as the Chair Elect of the National Association of Boards (NAB). Members of the BENHA also served on various national committees including the preparation of the national examination.
The board continues to invest in the state approved Long Term Care Centers of Academic Excellence. Currently, six Minnesota colleges and UW-Eau Claire carry national recognition for their work in creating leaders for new models of elder care throughout the upper Midwest and nationally.
The board takes seriously its role of assuring leaders at the helm of Minnesota long term care centers are ethical and resident centered in their decision making practices. Continued investment to cultivate new leaders for tomorrow's service delivery remains critical, even more so as challenging economic environments requires a continued strong investment and commitment. Quality leadership creates efficient and effective communities that care for our states aging population.

A. Health-Related Licensing Board Reports
Minnesota Board of Optometry

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | | Number and Type of Per Credentials Renewed Online (# and per cent) during biennium ending June 30, 2010 |
|---|---|---|---|
| 1023 optometrist | ISSUED<br>RENEWED<br>REINSTATED | 23<br>1006<br>0 | 477 = 47% |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 | |
|---|---|---|---|
| 1004 optometrist | ISSUED<br>RENEWED<br>REINSTATED | 74<br>972<br>1 | 444 = 45% |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2007 | |
|---|---|---|---|
| 931 optometrist | ISSUED<br>RENEWED<br>REINSTATED | 15<br>952<br>4 | 360 = 37% |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| 951 optometrist | ISSUED<br>RENEWED<br>REINSTATED | 24<br>934<br>0 | |

Electronic government services were initiated by the Board in FY07 with online renewal of licenses.
The Board provides excellent customer service and uses efficient and cost effective processes and technology to support Board functions, including ensuring that all applicants meet the standards for initial licensure, and that optometrists meet standards for annual license renewal.

Minnesota Board of Optometry
Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 5 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 10 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 10 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 10 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 12 | 0 |

Minnesota Board of Optometry
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 10 | 3 2 > 1 year 1 < 1 year |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009 |
|---|---|
| 3 | 13 5 > 1 year 8 < 1 year |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 8 | 15 8< 1 year 7> 1 year |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007 |
|---|---|
| 4 | 7 4< 1 year 3> 1 year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 9 | 6 6< 1 year |

In support of the mission of public protection, the Board responds to complaints and investigates optometrists who are alleged to have failed to maintain minimum standards necessary for the provision of safe and quality care, and when warranted, the Board provided timely and appropriate discipline or corrective action. The Complaint Review Committee of the Board is comprised of 2 Board members.

The Committee determines if the complaint is jurisdictional, and whether the information submitted is sufficient to initiate a complaint, and if not, then may request additional information from the complainant. The Board also seeks information directly from the licensee, as well as obtaining investigation information from other agencies, and/or consultants. Confidentiality and due process are strictly observed throughout the complaint review process and after resolution. When appropriate, licensees may be provided with education to improve their practice and prevent recurrence of problems. When formal action is warranted for public protection then the Committee attempts to obtain a voluntary corrective action agreement or disciplinary action; and if necessary will pursue disciplinary action through a due process, contested case hearing, or potential court action.

Consumer complaint forms are available from the Board's website at www.optometryboard.state.mn.us .

Minnesota Board of Optometry
Receipts, Disbursements and Major Fees

| Fees 2010 [list by license type / renewal term | Disbursements FY 2010 | |
|---|---|---|
| Professional Corporations | 2,700 | 104,04 |
| Licensure Application | 1,875 | |
| Licensure Registration | 300 | |
| Annual License Renewal | 106,050 | |
| Late Penalty Fee | 560 | |
| Therapeutic Drug Certification | 1,600 | |
| Duplicate/Replacement | 1,904 | |
| CE Application | 345 | |
| Emeritus Registration | 20 | |
| Reciprocity Application | | |
| Reinstatement Application | 1,820 | |

| Fees 2009 [list by license type / renewal term | Disbursements FY 2009 | |
|---|---|---|
| Professional Corporations | 2,550 | 128,51 |
| Licensure Application | 2,400 | |
| Licensure Registration | 420 | |
| Annual License Renewal | 105,210 | |
| Late Penalty Fee | 840 | |
| Diagnostic Drug Certification | 10 | |
| Therapeutic Drug Certification | 2,050 | |
| Duplicate/Replacement | 1,874 | |
| CE Application | 510 | |
| Emeritus Registration | 30 | |
| Reciprocity Application | 225 | |
| Reinstatement Application | 4,305 | |

| Fees 2008 [list by license type / renewal term | Disbursements FY 2008 | |
|---|---|---|
| Professional Corporations | 2,750 | 107,15 |
| Licensure Application | 4,050 | |
| Licensure Registration | 660 | |
| Annual License Renewal | 102,060 | |
| Late Penalty Fee | 1,225 | |
| Diagnostic Drug Certification | 570 | |
| Therapeutic Drug Certification | 2,800 | |
| Duplicate/Replacement | 1,936 | |
| CE Application | 405 | |
| Emeritus Registration | 10 | |
| Reciprocity Application | 75 | |
| Reinstatement Application | 840 | |

| Fees 2007 [list by license type / renewal term | Disbursements FY 2007 | |
|---|---|---|
| Professional Corporations | 2,525 | 115,23 |
| Licensure Application | 2,700 | |
| Licensure Registration | 456 | |
| Annual License Renewal | 99,960 | |
| Late Penalty Fee | 560 | |
| Diagnostic Drug Certification | 580 | |
| Therapeutic Drug Certification | 2,700 | |
| Duplicate/Replacement | 1,746 | |
| CE Application | 390 | |
| Emeritus Registration | 30 | |
| Reciprocity Application | 150 | |
| Reinstatement Application | 1,260 | |

| Fees 2006 [list by license type / renewal term | Disbursements FY 2006 | |
|---|---|---|
| Professional Corporations | 1,900 | 98,22 |
| Licensure Application | 1,650 | |
| Licensure Registration | 216 | |
| Annual License Renewal | 98,070 | |
| Late Penalty Fee | 560 | |
| Diagnostic Drug Certification | 280 | |
| Therapeutic Drug Certification | 1,500 | |
| Duplicate/Replacement | 1,824 | |
| CE Application | 390 | |
| Emeritus Registration | 50 | |
| Reciprocity Application | 75 | |
| Reinstatement Application | 945 | |

Board Fees are unchanged from the levels established in 1994. During this biennium a 10% surcharge, imposed by legislation, on optometry licenses and renewals for the Minnesota Office of Enterprise Technology to develop a statewide electronic licensing system was funded by the Board in FY 10 with a transfer from the special revenue fund in lieu of imposing this surcharge on the licensees. Beginning in FY 11 the surcharge will be collected directly from applicants and licensees.

The State of Health Occupation Regulation
The Board website (www.optometryboard.state.mn.us) provides ready access to Online Annual License Renewals, Online address//phone change, Online reporting of continuing education, information about the status of individual Licensees, Complaint Forms, and Optometry Statutes and Rules.

The Board staff consists of 0.8 FTE employees in the positions of Executive Director and Office Administrative Specialist. The Board continues to be proud of creating a shared electronic licensing model with other small boards. Significant work has been completed in this biennium to create online applications with possible roll out in the next biennium.

## Board Members

The Board of Optometry consists of seven members appointed by the Governor; five Minnesota licensed optometrists and two public members. The Board met eight times during the biennium. Board members also serve on the Board's Complaint Review, Continuing Education, and Legislative Committees. The Board members are individuals who are dedicated to public protection, volunteer significant personal time to review materials in advance of the meetings and to attend Board and Committee meetings.

The purpose of the Board is to ensure that the public health is protected and well served by persons with specific education requirements, by following the scope of practice defined in law. Primary duties of Board members are 1) review and evaluate applications for licensure, 2) review and investigate consumer complaints to determine if disciplinary action is needed. Secondary duties include actions on budget issues, fee structure, continuing education and rule writing. Most of the work of Board members is completed at Board meetings.

| Board Member Name | Residence | Occupation | Professional Member / Pub- | Date of Ap-pointment | Date of Reap-pointment |
|---|---|---|---|---|---|
| Jeanette Tay- | Medina | Attorney | Public | 2003 | 2007 |
| Timothy | Frazee | Optometrist | Professional | 2004 | 2008 |
| Marlene Reid | St. Paul | | Public | 2005 | 2009 |
| Roger Pabst, | Redwood Falls | Optometrist | Professional | 2005 | 2009 |
| Beth DeS- | Bloomington | Optometrist | Professional | 2007 | |
| Vacant | | Optometrist | Professional | | |
| Vacant | | Optometrist | Professional | | |

# Executive Director Narrative

The mission of the Board is public protection by striving to ensure Minnesota citizens receive quality optometric care from competent optometrists. Public protection through licensure and regulation underlies every activity and all functions of the Board.

The Board continues collaborative efforts for online services shared between the group of seven small health licensing boards banded together to leverage limited resources. This group of small boards has worked cooperatively for 9 years to successfully develop, maintain, and advance an integrated licensing and regulatory system, web applications, and database in an extremely functional but cost effective and efficient manner.

The Board continues to provide high quality, customer focused, efficient, and cost effective services. Board members and staff are to be commended for exceptional dedication and hard work to meet the increasing demands and continue to provide service excellence.

**Minnesota Board of Pharmacy**

Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during fiscal year ending June 30, 2010 | Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| | Type | Number | Per Cen |
| 7546 | Pharmacist | 7564 | 93% |
| 8552 | Technician | 8618 | 75% |
| 1701 | Pharmacy | 1706 | 0% |
| 1067 | Wholesaler | 1075 | 0% |
| 401 | Manufacturer | 408 | 0% |
| 68 | Medical Gas Distributor | 71 | 0% |
| 498 | Controlled Substance Researcher | 503 | 0% |
| 1436 | Interns | 1440 | 0% |
| 1537 | Prescription Monitoring Program Users | 1537 | 0% |

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed during fiscal year ending June 30, 2009 | Per Cent of Credentials Renewed Online during biennium ending June 30, 2009 | |
|---|---|---|---|
| | Type | Number | Per Cen |
| 7294 | Pharmacist | 7357 | 92% |
| 8288 | Technician | 8354 | 73% |
| 1693 | Pharmacy | 1695 | 0% |
| 1018 | Wholesaler | 1030 | 0% |
| 361 | Manufacturer | 371 | 0% |
| 56 | Medical Gas Distributor | 60 | 0% |
| 404 | Controlled Substance Researcher | 428 | 0% |
| 1435 | Interns | 1435 | 0% |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during fiscal year ending June 30, 2008 | Per Cent of Credentials Renewed Online during biennium ending June 30, 2008 | |
|---|---|---|---|
| | Type | Number | Per Cen |
| 6875 | Pharmacist | 6980 | 90% |
| 8114 | Technician | 8157 | 71% |
| 1669 | Pharmacy | 1675 | 0% |
| 974 | Wholesaler | 985 | 0% |
| 322 | Manufacturer | 332 | 0% |
| 47 | Medical Gas Distributor | 50 | 0% |
| 387 | Controlled Substance Researcher | 391 | 0% |
| 1166 | Interns | 1233 | 0% |
| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during fiscal year ending June 30, 2007 | Per Cent of Credentials Renewed Online during biennium ending June 30, 2007 | |
| | Type | Number | Per Cen |
| 6547 | Pharmacist | 6629 | 88% |
| 7336 | Technician | 7530 | 69% |
| 1649 | Pharmacy | 1654 | 0% |
| 936 | Wholesaler | 946 | 0% |
| 288 | Manufacturer | 297 | 0% |
| 39 | Medical Gas Distributor | 41 | 0% |
| 371 | Controlled Substance Researcher | 375 | 0% |
| 1006 | Interns | 1046 | 0% |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during fiscal year ending June 30, 2006 | Per Cent of Credentials Renewed Online during biennium ending June 30, 2006 | |
|---|---|---|---|
| | Type | Number | Per Cent |
| 6484 | Pharmacist | 6502 | 0% |
| 6830 | Technician | 6998 | 0% |
| 1601 | Pharmacy | 1613 | 0% |
| 903 | Wholesaler | 911 | 0% |
| 268 | Manufacturer | 273 | 0% |
| 31 | Medical Gas Distributor | 33 | 0% |
| 375 | Controlled Substance Researcher | 375 | 0% |
| 891 | Interns | 1006 | 0% |

During the past five fiscal years, the Board of Pharmacy has experienced a 31% increase in the total number of individuals and businesses licensed or registered. Approximately 9% is due to the number of users registered to access the new Prescription Monitoring Program (PMP) during fiscal year 2010. The remaining 22% represents growth in the license and registration types that have existed throughout the five year period. The Legislature appropriated money during the first 2010 Special Session so that the Board could hire staff for the PMP.

The Legislature also appropriated money during the 2007 Session to allow the Board to hire one additional licensing staff person and one additional Board Surveyor (i.e. inspector). However, since there has been no increase in appropriations since then and since the Board has had to transfer money to the Office of Enterprise Technology for an e-licensing Web portal, a Surveyor who retired in 2009 was not replaced. Consequently, the Board has not been able to keep up with the extra inspec-

tions that have been necessary due to the increase in licensed pharmacies, wholesalers, manufacturers, medical gas distributors and controlled substance researchers.

The Board has offered online renewals for pharmacists and technicians since 2007. The system that we have works quite well and we had planned on expanding online services to other license and registration types. Unfortunately, those plans were derailed when the Board was required to divert money to support OET's e-licensing Web portal. In addition, we have been told by OET that we will have to pay them additional money to link our existing licensing system to their Web portal.

Number of Complaints Received

| Number of Complaints Received (opened) by type in fiscal year ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 86 | 0 |

| Number of Complaints Received (opened) by type in fiscal year ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 104 | 0 |

| Number of Complaints Received (opened) by type in fiscal year ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 86 | 0 |

| Number of Complaints Received (opened) by type in fiscal year ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 64 | 0 |

| Number of Complaints Received (opened) by type in fiscal year ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 81 | 0 |

Approximately 30% of the complaints that the Board receives involve alleged dispensing errors (e.g. – a wrong drug dispensed). Another 20% involve chemically dependent pharmacists and technicians. The remaining 50% involve a variety of allegations such as failing to follow health data privacy laws, failure to provide counseling, and failure to pay taxes or child support. During the biennium, the Board took disciplinary action against the licenses or registrations of 18 pharmacists, 13 pharmacy technicians, one pharmacy and one drug wholesaler.

**Number and age of complaints open at the end of the period**

| Number of Complaints Closed in fiscal year ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 49 | 21 < One Year; 25 > One year |

| Number of Complaints Closed in fiscal year ending June 30, 2009 | Number of Complaints Open as of June 30, 2009 |
|---|---|
| 100 | 17 < One Year; 5 > One Year |

| Number of Complaints Closed in fiscal year ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| | 19 < One Year; 2 > One Year |

| Number of Complaints Closed in fiscal year ending June 30, 2007 | Number of Complaints Open as of June 30, 2007 |
|---|---|
| | 41 < one year; 0 > One Year |

| Number of Complaints Closed in fiscal year ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| Was not tracked | Was not tracked |

As mentioned above, the Legislature appropriated money during the 2007 Session to allow the Board to hire one additional Board Surveyor (i.e. inspector). However, since there have been no increase in appropriations since then and since the Board has had to transfer money to the Office of Enterprise Technology for an e-licensing Web portal, a Surveyor who retired in 2009 was not replaced. That has clearly had an impact on the ability of the Board to conduct complaint investigations. During fiscal year 2010, we have far more cases that have been open for over a year than we had in 2009, 2008 and 2007. We also have about twice as many total open complaints than we had in 2009 or 2008.

Receipts, Disbursements and Major Fees

| Receipts FY 2010 | Disbursements FY 2010 |
|---|---|
| $1,887,345 | $1,738,930 |

| Receipts FY 2009 | Disbursements FY 2009 |
|---|---|
| $1,703,001 | $1,611,868 |

| Receipts FY 2008 | Disbursements FY 2008 |
|---|---|
| $1,579,581 | $1,519,978 |

| Receipts FY 2007 | Disbursements FY 2007 |
|---|---|
| $1,479,113 | $1,265,087 |

| Receipts FY 2006 | Disbursements FY 2006 |
|---|---|
| $1,442,545 | $996,505 |

| FEE NAME | FEE AMOUNT |
|---|---|
| Pharmacist Renewal | $105.00 |
| Practical Examination Application | $125.00 |
| Original Licensure | $105.00 |
| Reciprocity Application | $205.00 |
| Pharmacy New and Renewal | $165.00 |
| Wholesaler New & Renew–Prescription and Controlled Substance | $180.00 |
| Wholesaler - Non-Prescription and Veterinary Non-Prescription | $155.00 |
| Wholesaler – Medical Gases | $130.00 |
| Wholesaler – When licensed as a MN Pharmacy | $105.00 |
| Manufacturer – Prescription and Controlled Substance | $180.00 |
| Manufacturer - Non-Prescription and Veterinary Non -Prescription | $155.00 |
| Manufacturer – Medical Gases | $130.00 |
| Manufacturer – When licensed as a MN Pharmacy | $105.00 |
| Medical Gas Distributors | $50.00 |
| Controlled Substance Researchers | $25.00 |
| Interns | $20.00 |
| Technicians | $20.00 |

Please note that receipts received during fiscal years 2006 – 2008 were relatively stable. The increase in receipts during the last biennium was largely due federal grant money awarded to the Board for the implementation of the Prescription Monitoring Program. Increase in disbursements have occurred due to implementation of the PMP program, an increase in payments to the Attorney General's Office related to disciplinary actions, an increase in salary and benefits and a large increase in statewide indirect costs.

**The State of Health Occupation Regulation**

Emerging issues regarding the regulation of the practice of Pharmacy.

There are several emerging issues that the Board is tracking:

- Manufacturers and software developers are continually developing new devices and programs that automate pharmacy dispensing processes. Some of these devices may radically change how pharmacy is practiced and how drugs are dispensed to patients. The Board devotes a significant amount of resources to evaluating this new technology to ensure that it does not pose a threat to patients.

  For example, one manufacturer has developed an automated dispensing machine that has video cameras and audio devices that allow for a two-way link between a closed door pharmacy and the machine. The machine can dispense medications to patients, with the pharmacist and the patient communicating through the two-way audiovisual link. Such devices could be used to provide pharmacy services in small towns in remote areas of the state. However, the manufacturer would also like to position them in urgent care cen

ters and emergency rooms in the Twin Cities metropolitan area. That could have a significant impact on the operations of traditional "bricks and mortars" pharmacies.

- More pharmacies, including some of the larger regional and national chains, are offering services such as immunizations and medication therapy management. This trend should result in improved public health by increasing the number of individuals who are immunized against various diseases and by helping to reduce adverse drug reactions and other medication-related problems. However, if these services are performed incorrectly, there can be a detrimental impact on patients.
- The Board has worked with the Minnesota Pollution Control Agency, the U.S. Drug Enforcement Agency and the Legislature to address the issue of pharmaceutical waste. The public seems to have become concerned that trace quantities of numerous pharmaceuticals have been detected in municipal water supplies. The Board has adopted a rule requiring pharmacies to comply with all of the rules and regulations of the PCA and has been involved in monitoring "take-back" efforts sponsored by pharmacies.
- Abuse of prescription drugs has grown at an alarming rate over the past several years. The Board has worked with the Minnesota Pharmacists Association, law enforcement agencies, the National Association of Boards of Pharmacy and other organizations in an effort to decrease such abuse. As mentioned above, during the Board has implemented the Prescription Monitoring Program, which is a tool that can be used to prevent "doctor-shopping" which is one source of illegitimately used prescription drugs. .

**Board Members**

Statute requires the Board to have seven members. The individuals who have been appointed by the Governor, for staggered four-year terms, as of June 30, 2010, are:

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Carleton Crawford | Minneapolis | Architect | Public | 7/2003 | 5/2007 |
| Karen Bergrud | Stewartville | Pharmacist | Professional | 5/2007 | |
| Kay Hanson | Brooklyn Park | Pharmacist | Professional | 7/2004 | 3/2008 |
| Stacey Jassey | Maple Grove | Pharmacist | Professional | 3/2008 | |
| James Koppen | Pine City | Pharmacist | Professional | 4/09 | |
| Ikram-Ul-Huq | Apple Valley | Businessman | Public | 4/2010 | |
| Laura Schwartzwald | Aitkin | Pharmacist | Professional | 4/10 | |

# Executive Director Narrative

- Board Mission and Major Functions

**Board of Pharmacy Mission**
The mission of the Minnesota Board of Pharmacy is to promote, preserve, and protect the public health, safety, and welfare by fostering the provision of quality pharmaceutical care to the citizens of Minnesota through the examination and licensure of pharmacists, the regulation of the practice of pharmacy, and the inspection of licensed pharmacies, wholesalers, and manufacturers. The Board strives to ensure that prescription drugs are provided to the public in a safe and effective manner by qualified licensees.

**Board of Pharmacy Functions**

Setting educational and examination standards for initial and continuing licensure**:**

- Set licensure and internship requirements through the rules process.
- Review academic programs to determine if they meet requirements.
- Develop the state's jurisprudence examination to determine candidate knowledge of Minnesota statutes and rules governing pharmacy practice.
- Review continuing education programs submitted by sponsors and individuals to determine if they meet requirements.
- Review individual applicant and licensee documentation of completion of requirements for initial and continuing licensure.

Conducting inspections of all pharmacies, drug wholesalers, drug manufacturers and controlled substance researchers in the state.

- Inspect all pharmacies located in the state of Minnesota to assure compliance with all statues and rules relating to prescription drug distribution and the provision of pharmaceutical care.
- Inspect all wholesalers located in the state of Minnesota to assure compliance with all statues and rules relating to the storage and distribution of prescription and non-prescription drugs.
- Inspect all manufacturers located in the state of Minnesota to assure compliance with Good Manufacturing Practices Standards.
- Inspect all controlled drug researchers located in the state of Minnesota to assure compliance with state and federal controlled substance statutes and regulations.

Respond to public and agency inquiries, complaints, and reports regarding licensure and conduct of applicants, registrants, and licensees.

- Accept complaints and reports from the public and health care providers and regulators.
- Decide whether a complaint or inquiry is jurisdictional and, if so, whether and what type of action to pursue to resolve the matter.
- Refer inquiries and complaints to other investigative, regulatory, or assisting agencies, as necessary.
- Respond to complainants and agency reports by informing the complainants/agencies of action taken to resolve their complaints, while observing provisions of the data practices act regarding the legal status of data obtained during the course of an investigation and disciplinary proceeding.

Setting standards of practice and conduct for licensees and pursuing educational or disciplinary action with licensees, to ensure that standards are met.

- Set standards of conduct and a basis for disciplinary action through the rules process.
- Seek information directly from the licensee and obtain evidence and relevant information from other agencies in response to complaints or inquiries.
- Hold conferences with licensees to identify their role and responsibility in a matter under investigation.
- Provide applicant and licensee education to improve practice and prevent recurrence of problems.
- Obtain voluntary agreement for disciplinary action or pursue disciplinary action through a due process, contested case hearing; defend disciplinary action in court if necessary.
- Referring cases, where appropriate, to the Health Professional Services Program.

Providing information and education about licensure requirements, standards of practice and Minnesota drug law to the public and to other interested audiences.

- Provide information to the pharmacy community concerning requirements for licensure.
- Provide information to licensees to prevent inappropriate practice and to improve the practice of pharmacy.
- Provide the public with information about pharmacy services and drug use issues through telephone, written, and e-mail communications.
- Provide the public and licensees with access to a wide variety of pharmacy related information sources through our web site.

Administering the State's new Prescription Monitoring Program (PMP)

- Electronically collect data, on a daily basis, concerning controlled substance prescriptions from approximately 1,700 dispensers. (6 million prescriptions reported annually).
- Process applications from prescribers and pharmacists who want to access the PMP database through a secure Internet link.
- Cluster (i.e. link) profiles thought to be for a single individual who uses multiple names or addresses in an attempt to hide "doctor-shopping" behavior.
- Work with the Board's IT vendors to improve processes for the PMP.
- Make presentations to professional groups interested in learning about the PMP.

◆ **Major activities during the biennium.**

The board accomplished the following major activities during the biennium:

- Continuous updating of the web site to provide information about the board and its various functions to the public, applicants for licensure, and licensees of the board. The site provides links to other state and federal agencies that also help citizens interested in finding appropriate pharmacy services and to inform them of how to pursue complaints or concerns about their prescriptions. It also provides a variety of forms that the public, applicants for licensure and licensees of the board can download.

- Began work on a general revision of the Board's Rules. Also adopted rule changes that added numerous drugs to the State's Schedules of controlled substances. Began work on a rule change that will add synthetic cannabinoids to the State's controlled substances Schedule I.
- Updated an item pool of 2,000+ questions for the Multistate Pharmacy Jurisprudence Examination/Minnesota.
- Implemented the Prescription Monitoring Program. Prescribers and pharmacists are able to access this data in order to identify individuals who might be fraudulently trying to obtain prescriptions.
- Provided technical assistance to legislators and legislative staff on numerous pieces of legislation related to pharmaceuticals and the practice of pharmacy.

Minnesota Board of Physical Therapy
Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | | Number and Type of Credentials Renewed during biennium ending June 30, 2010 |
|---|---|---|---|
| 5,422 | Type<br><br>PT<br><br>PTA | Number<br><br>Renewed: 7,832<br>Issued: 452<br><br>Renewed: 2553<br>Issued: 497 | On-Line Renewals<br>Total:<br>PT: 92% = 7,205<br><br>PTA: 82% = 2,093 |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | | Number and Type of Credentials Renewed during biennium ending June 30, 2008 |
|---|---|---|---|
| 4,670 | Type<br><br>PT<br><br>PTA | Number<br><br>Renewed: 7,436<br>Issued: 389<br><br>Issued: 874 | Total:<br>PT: 85% = 6,312 |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | | Number and Type of Credentials Renewed during biennium ending June 30, 2006 |
|---|---|---|---|
| 3,588 | Type<br><br>PT | Number<br><br>Renewed: 6,949<br>Issued: 336 | Total:<br>PT: 44% = 3047 |

| Total Number of persons licensed or registered as of June 30, 2004 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2004 | | Number and Type of Credentials Renewed during biennium ending June 30, 2006 |
|---|---|---|---|
| 3,443 | Type<br><br>PT | Number<br><br>Renewed: 6,202<br>Issued: 400 | Total:<br>PT: 22% = 1,364 |

| Total Number of persons licensed or registered as of June 30, 2002 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2002 | | Number and Type of Credentials Renewed Online during biennium ending June 30, 2002 |
|---|---|---|---|
| 3,269 | Type<br><br>PT | Number<br><br>Renewed: 5,990<br>Issued: 456 | Online renewals were not available during FY01-02 biennium |

Electronic government services were initiated by the Board in FY03 with online renewal of licenses with online initial applications being implemented in FY10. During the first year availability of online initial license applications, 56% of applications were submitted online.

The Board began licensing physical therapist assistants during FY08, and completed the initial licensure process in FY09, with a 31% increase in the total number of licensees regulated by the Board. Physical therapist assistants renewed their licenses for the first time during FY09.

The Board provides excellent customer service and uses efficient and cost effective processes and technology to support Board functions, including ensuring that applicants meet the standards for initial licensure, and physical therapists and physical therapist assistants meet standards for annual license renewal.

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online | |
|---|---|---|
| **Complaints Received** | **104** | 0 |
| Violation of a Board Order | 1 | |
| Unprofessional conduct or other conduct which has the potential for causing harm to the public, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established | 83 | |
| Inappropriate delegation to a PTA or inappropriate task assignment to a PT aide, inadequate supervision of a student PT, PTA, student PTA, or a PT aide | 8 | |
| Failing to comply with continuing education requirement | 1 | |
| Conviction of a felony, an element of which is dishonesty or fraud | 1 | |
| Non Jurisdictional | 2 | |
| Practicing under lapsed or non-renewed license | 13 | |
| Failing to consult with referral source when treatment was altered from order | 4 | |
| Treatment without a referral beyond 90 days or by a PT with less than 1 year of experience | 1 | |
| Disqualification by Office of Health Facility Complaints | 2 | |
| Use of title physical therapist or PT without a license | 3 | |
| Unable to practice with reasonable skill and safety by reason of any mental or physical illness or condition | 7 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online | |
|---|---|---|
| **Complaints Received** | **67** | 0 |
| No person shall provide physical therapy unless licensed as a physical therapist | 5 | |
| Conduct unbecoming a person licensed as a physical therapist or conduct detrimental to the best interests of the public; or engaging in unprofessional conduct | 36 | |
| Inappropriate delegation to a PTA or inappropriate task assignment to a PT aide, inadequate supervision of a student PT, PTA, student PTA, or a PT aide | 3 | |
| Failing to comply with continuing education requirement | 2 | |
| Gross negligence in practice of PT | 1 | |
| Non Jurisdictional | 5 | |
| Practicing under lapsed or non-renewed license | 1 | |
| Failing to consult with referral source when treatment was altered from order | 1 | |
| Treatment without a referral beyond 30 days or by a PT with less than 1 year of experience | 2 | |
| Attempting to obtain a license by fraud or deception | 1 | |
| Impairment | 8 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online | |
|---|---|---|
| **Complaints Received** | **36** | 0 |
| No person shall provide physical therapy unless licensed as a physical therapist | 4 | |
| Conduct unbecoming a person licensed as a physical therapist or conduct detrimental to the best interests of the public. | 32 | |
| Inappropriate delegation to a PTA or inappropriate task assignment to a PT aide, inadequate supervision of a student PT, PTA, student PTA, or a PT aide | 9 | |
| Failing to report other PTs who violate statute | 2 | |
| Failing to comply with continuing education requirement | 1 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2004 | Number of Complaints Received online | |
|---|---|---|
| **Complaints Received** | **40** | 0 |
| No person shall provide physical therapy unless licensed as a physical therapist | 5 | |
| Conduct unbecoming a person licensed as a physical therapist or conduct detrimental to the best interests of the public. | 32 | |
| Conviction of a felony | 1 | |
| Noncompliance with Board Order | 2 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2002 | Number of Complaints Received online | |
|---|---|---|
| **Complaints received** | **40** | 0 |
| No person shall provide physical therapy unless licensed as a physical therapist | 4 | |
| Conduct unbecoming a person licensed as a physical therapist or conduct detrimental to the best interests of the public. | 29 | |
| Use of drugs or intoxicating liquors to an extent which affects professional competence | 4 | |
| Civil commitment for mental illness | 1 | |
| Nonpayment of State income taxes | 1 | |
| Noncompliance with Board Order | 1 | |

In support of the mission of public protection, the Board responds to complaints and investigates physical therapists and physical therapist assistants who are alleged to have failed to maintain minimum standards necessary for the provision of safe and quality care, and when warranted, the Board provides timely and appropriate discipline or corrective action.

The volume of complaints received during FY2009 and 2010 is 155% the number received in the biennium ending June 30, 2008. There is also a 289% increase in number of complaints received during FY2009 and 2010 compared to the number received in the biennium ending June 30, 2006. The complexity of these complaints and investigations has also substantially increased. During this biennium the Board imposed discipline on 7 licensees, and entered into educational agreements for corrective action with 3 licensees. The Board monitored compliance with 18 licensees under discipline orders or corrective action agreements during this biennium.

Minnesota Board of Physical Therapy
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 79 | Less than one year: 21<br>Greater than one year: 4 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 52 | Less than one year: 13<br>Greater than one year: 2 |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 69 | Less than one year: 4<br>Greater than one year: 14 |

| Number of Complaints Closed in biennium ending June 30, 2004 | Number of Complaints Open as of June 30, 2004 |
|---|---|
| 60 | Less than one year: 17<br>Greater than one year: 7 |

| Number of Complaints Closed in biennium ending June 30, 2002 | Number of Complaints Open as of June 30, 2002 |
|---|---|
| 36 | Less than one year: 15<br>Greater than one year: 3 |

The Board is responsible for the regulation of physical therapy practice for the purpose of public protection. The Board's complaint review process opens with an allegation in the form of a complaint or report submitted by members of the public including patients and members of their families, licensees, other health care providers, payers, and regulators. The Complaint Review Committee of the Board is comprised of 3 Board members (2 physical therapists and 1public member). The Board determines if the complaint is jurisdictional, and whether the information submitted is sufficient to initiate a complaint, and if not, then requesting additional information from the complainant. The Board also seeks information directly from the licensee, as well as obtaining investigation information from other agencies, and/or consultants. The investigation may include a conference with the licensee to identify their role and responsibility in the matter. Confidentiality and due process are strictly observed throughout the complaint review process and after resolution. When appropriate, applicants and licensees may be provided with education to improve their practice and prevent recurrence of problems. The Board endorsed and adopted the Minnesota Alliance for Patient Safety (MAPS) Statement of Support for a Statewide Culture of Learning, Justice and Accountability, and the concept of Just Culture. When formal action is warranted for public protection then the Board attempts to obtain a voluntary corrective action agreement or disciplinary action; and if necessary will pursue disciplinary action through a due process, contested case hearing, or potential court action.

Minnesota Board of Physical Therapy
Receipts, Disbursements and Major Fees

| Fees 2010 | Disbursements FY 2009-10 | |
|---|---|---|
| PT and PTA Annual License Renewal | $60 | $747,775 |
| PT and PTA Late Fee for Annual Renewal | $20 | |
| PT and PTA Initial Application | $100 | |
| PT and PTA Examination | $50 | |
| PT and PTA Temporary Permit Fee | $25 | |
| PT and PTA Duplicate License | $20 | |
| PT and PTA Certification of Licensure | $25 | |
| Continuing Education Course Review | $100 | |

| Fees 2008 | Disbursements FY 2007-08 | |
|---|---|---|
| PT and PTA Annual License Renewal | $60 | $562,095 |
| PT and PTA Late Fee for Annual Renewal | $20 | |
| PT and PTA Initial Application | $100 | |
| PT and PTA Examination | $50 | |
| PT and PTA Temporary Permit Fee | $25 | |
| PT and PTA Duplicate License | $20 | |
| PT and PTA Certification of Licensure | $25 | |
| Continuing Education Course Review | $100 | |

| Fees 2006 | Disbursements FY 2005-06 | |
|---|---|---|
| PT Annual License Renewal | $60 | $506,094 |
| PT Late Fee for Annual Renewal | $20 | |
| PT Initial Application | $100 | |
| PT Examination | $50 | |
| PT Temporary Permit Fee | $25 | |
| PT Duplicate License | $20 | |
| PT Certification of Licensure | $25 | |
| Continuing Education Course Review | $100 | |

| Fees 2004 | Disbursements FY 2003-04 | |
|---|---|---|
| PT Annual License Renewal | $60 | $519,529 |
| PT Late Fee for Annual Renewal | $20 | |
| PT Initial Application | $100 | |
| PT Examination | $50 | |
| PT Temporary Permit Fee | $25 | |
| PT Duplicate License | $20 | |
| PT Certification of Licensure | $25 | |
| Continuing Education Course Review | $100 | |

| Fees 2002 | Disbursements FY 2001-02 | |
|---|---|---|
| PT Annual License Renewal | $60 | $480,849 |
| PT Late Fee for Annual Renewal | $20 | |
| PT Initial Application | $100 | |
| PT Examination | $50 | |
| PT Temporary Permit Fee | $25 | |
| PT Duplicate License | $20 | |
| PT Certification of Licensure | $25 | |
| Continuing Education Course Review | $100 | |

Board Fees are unchanged from the levels established in 1994. The fees collected each year exceed the approved spending authority and indirect costs of operations.
Receipts
FY 2009-10: $876,935
FY 2007-08: $828,155
FY 2005-06: $577,355
FY 2003-04: $569,955
FY 2001-02: $532,021

During this biennium, the 10% surcharge on licenses for the Minnesota Office of Enterprise Technology to develop a state-wide electronic licensing system has been funded with transfers from the Board's special revenue fund in lieu of imposing this surcharge on the licensees.

Minnesota Board of Physical Therapy
The State of Health Occupation Regulation
The Board website (www.physicaltherapy.state.mn.us) provides ready access to Online Initial License Applications, Online Annual License Renewals, Online address//phone change, Information about the status of individual Licensees, Continuing Education information and course approval application forms, Complaint and Report Forms, complete text of all Disciplinary Orders, and Physical Therapy Statutes and Rules.

Awards received: the 2008 NASCIO Recognition Award Finalist in the Category of Business Continuity and Disaster Recovery to the Minnesota Health-Related Licensing Boards for the Continuation of Operations Plan.
Critical Issues to be Addressed by the Board in the Next Biennium include rulemaking for continuing competence, and a plan to seek statutory authority for license revocation for licensees who are convicted of felony-level criminal sexual conduct offenses.

The Board of Physical Therapy consists of eleven members appointed by the Governor; four physical therapists, two physical therapist assistants, one doctor of medicine, and three public members. The Board met twelve times during the biennium. Board members also serve on the Complaint Review, Licensure, Continuing Education, Administration, and Legislative Committees, and the Continuing Competence Task Force. The Licensure, Continuing Education, and Administration Committees each held 12 meetings during the biennium. The Complaint Review Committee met 20 times during the biennium. The Continuing Competence Task Force met 6 times during this biennium. The Board members are individuals who are dedicated to public protection, they volunteer significant personal time to review materials in advance of the meetings and to attend Board and Committee meetings.

The Board staff consists of 3.0 FTE employees in the positions of Executive Director, Office Administrative Specialist Principal, and Office Administrative Specialist Intermediate.

Board Members

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Timothy Fedje | Rochester, MN | Physical Therapist | Professional Member | 12/27/199 | 1/1/2001, 1/3/2005, 3/5/2009 |
| Kathy Fleischaker | Eden Prairie, MN | Physical Therapist | Professional Member | 12/27/1999 | 1/7/2003, 9/4/2007 |
| Linda Gustafson | Minnetonka, MN | Physical Therapist | Professional Member | 3/5/2009 | |
| Bruce Idelkope | Minneapolis, MN | Medical Doctor | Professional Member | 8/28/2000 | 1/1/2001, 1/3/2005, 3/5/2009 |
| Barbara Liebenstein | Dundas, MN | Dairy Farmer | Public Member | 7/7/2005 | 3/5/2009 |
| Therese McDevitt | Brooklyn Center, MN | Physical Therapist Assistant | Professional Member | 12/27/1999<br>3/5/2009 | 1/7/2002 |
| Sandra Marden-Lokken | Duluth, MN | Physical Therapist | Professional Member | 7/7/2005 | 9/4/2007 |
| Debra Newel | St. Paul, MN | Attorney | Public Member | 10/19/2009 | |
| Kathy Polhamus | North St. Paul, MN | Utilization Review Coordinator | Public Member | 9/4/2007 | 5/5/2010 |
| Elizabeth Schultz | Alden, MN | Physical Therapist Assistant | Professional Member | 6/30/2006 | 5/5/2010 |
| Debra Sellheim | Maplewood, MN | Physical Therapist | Professional Member | 5/5/2010 | |

Executive Director Narrative

The mission of the Board is to public protection by striving to ensure Minnesota citizens receive quality physical therapy services from competent physical therapists and physical therapist assistants. Public protection through licensure and regulation underlies every activity and all functions of the Board. The major functions of the Board are to ensure that applicants met the standards for licensure; ensure that licensees meet the standards for license renewal; to identify licensees who fail to maintain minimum standards for the provision of safe and quality care, and when warranted to provide appropriate disciplinary or corrective action; and to provide information and education to the public.

The Board initiated an online initial license application service during this biennium. This online application service is being shared between the group of seven small health licensing boards, who have banded together to leverage limited resources. This group of small boards has worked cooperatively for 9 years to successfully develop, maintain, and advance an integrated licensing and regulatory system, web applications, and database in an extremely functional, cost effective, and efficient manner.

Continuing Competence has been and will continue to be a significant focus for the Board. A Continuing Competence Task Force was appointed and met six times during this biennium to explore and research existing tools and models that support Continuing Competence. The Task Force recently recommended, and the Board approved initiation of rulemaking for continuing competence activities.

During this biennium, a Board member and a staff member served in elected positions with the Board of the Federation of State Boards of Physical Therapy (FSBPT), the national association of state physical therapy regulatory boards. This is a continuation of a long standing pattern of service in national positions of leadership on the FSBPT board, committees, and task forces.

The Board and staff have successfully met challenges of significant growth during this biennium. The numbers of licensees, the number of complaints, and the complexity of complaint investigations have increased significantly. The Board continues to provide high quality, customer focused, efficient, and cost effective services. Board members and staff are to be commended for their exceptional dedication and hard work to meet the increasing demands while continuing to provide service excellence.

Sephanie Lunning, PT, Executive Director

Board of Podiatric Medicine
Requirement (1): the number and type of credentials issued or renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 |
|---|---|---|---|
| 262 | Type<br>Podiatrists<br>Temporary Permits<br>Professional Corporations | Number<br>207<br>15<br>40 | 2011 biennial renewals will be available online |

| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2009 | | Number and Type of Credentials Renewed Online during biennium ending June 30, 2009 |
|---|---|---|---|
| 247 | Type<br>Podiatrists<br>Temporary Permits<br>Professional Corporations | Number<br>203<br>7<br>37 | **0** |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007 | | Number and Type of Credentials Renewed Online during biennium ending June 30, 2007 |
|---|---|---|---|
| 235 | Type<br><br>Podiatrists<br>Temporary Permits<br>Professional Corporations | Number<br><br>190<br>4<br><br>41 | **0** |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | | Number and Type of Credentials Renewed Online during biennium ending June 30, 2006 |
|---|---|---|---|
| 232 | Type<br>Podiatrists<br>Temporary Permits<br>Professional Corporations | Number<br>185<br>6<br>41 | **0** |

Since 2006 the Board of Podiatric Medicine has seen an increase of 12% licensed podiatrists, and a 150% increase of residents requesting temporary permits in the three Minnesota programs. The increase in temporary permits suggests strong residency programs are available in Minnesota.
Online license biennial renewals will be available for the 2011 cycle.

Requirement (2): the number of complaints received
Minnesota Board of Podiatric Medicine

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 10 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 11 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 11 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 9 | 0 |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 14 | 0 |

Requirement (3): Number and age of complaints open at the end of the period
Minnesota Board of Podiatric Medicine

| Number of Complaints Closed in year ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 |
|---|---|
| 9 | <One Year = 5<br>>One Year = 3 |

| Number of Complaints Closed in year ending June 30, 2009 | Number of Complaints Open as of June 30, 2009 |
|---|---|
| 10 | <One Year = 4<br>>One Year = 0 |

| Number of Complaints Closed in year ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 |
|---|---|
| 8 | <One Year = 6<br>>One Year = 3 |

| Number of Complaints Closed in year ending June 30, 2007 | Number of Complaints Open as of June 30, 2007 |
|---|---|
| 9 | <One Year= 8<br>>One Year = 0 |

| Number of Complaints Closed in year ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 |
|---|---|
| 8 | <One Year = 8<br>>One Year=0 |

Requirement (4): Receipts, disbursements, and major fees
Minnesota Board of Podiatric Medicine

| | |
|---|---|
| Receipts FY10 $95,858 | Disbursements FY10 $76,872 |

| | |
|---|---|
| Receipts FY 09 $89,291 | Disbursements FY09 $81,454 |

| | |
|---|---|
| Receipts FY08 $91,061 | Disbursements FY08 $77,249 |

| | |
|---|---|
| Receipts FY07 $79,475 | Disbursements FY07 $75,785 |

| | |
|---|---|
| Receipts FY06 $84,429 | Disbursements FY06 $74,019 |

| Fee | Amount |
|---|---|
| Application for Licensure | $600 |
| Biennial License Renewal Fee | $600 |
| Temporary Permit - Annual | $250 |
| Professional Corporation - Annual | $50 |
| License Verification | $30 |

The Minnesota Board of Podiatric Medicine has not increased it fees since 1999. Board members were committed to operating efficiently, knowing the funds would be placed in a surplus account for costly future contested disciplinary actions and to delay fee increases. The Board was collecting more than it was appropriated until the past legislative session when spending authority was increased annually by $15,000.

Board Composition

THE BOARD WAS CREATED BY THE LEGISLATURE IN 1917 for the purpose of licensing chiropodists. In 1959 the term podiatry became synonymous in meaning with the word chiropody and in 1961 was substituted throughout the practice act. In 1987 a new practice act became law, establishing requirements for licensure. Podiatrists are licensed to diagnose and treat medically, mechanically, and surgically the ailments of the human hand, foot, ankle, and lower leg. The seven-member board has five podiatrists and two public members. Meetings are held quarterly in March, June, September, and December at the location of the board office and are open to the public.

The Complaint Resolution Committee (CRC) of the Board of Podiatric Medicine is authorized by Minnesota Statutes, M.S. chapter 214.10 and M.S. 214.103 and it reviews complaints against licensees. The CRC is comprised of three Board members, two licensed doctors of podiatric medicine and a public member of the Board. The Executive Director processes complaints submitted to the Board and refers them to the Committee, as appropriate.
If a complaint or other information obtained by the Board indicates that a licensee may have violated a statute or rule that the Board has authority to enforce, the Committee may request the medical records of the patient, may request the licensee's written response to the allegations, may refer the matter to the Attorney General's Office for investigation and/or may schedule a conference with the licensee to discuss the allegations.
If the licensee's response, the investigation and/or the conference discussion show that the licensee has violated a statute or rule enforced by the Board:

- the Committee may dismiss the matter if it determines that the licensee's conduct does not warrant corrective or disciplinary action;
- may attempt to resolve the matter with the licensee by an agreement for corrective action;
- or may negotiate a stipulation for disciplinary action which must be approved by the full Board to become effective.

If the Committee believes that the licensee's conduct warrants disciplinary action and it is unable to resolve the matter with the licensee, the Committee will initiate a disciplinary proceeding against the licensee in accordance with the Minnesota Administrative Procedure Act.
The full Board meets on a quarterly basis with the CRC meeting more frequently.

Employees

The Board has one half-time equivalent position filled by an Executive Director.

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Eugene Dela Cruz, DPM | Eagan | Podiatrist | Professional Member | 3/20/2007 | 1/3/2011 |
| Edward Lebrija, DPM | Morris | Podiatrist | Professional Member | 3/16/2009 | 1/7/2013 |
| Schelli McCabe, DPM | St. Peter | Podiatrist | Professional Member | 3/29/2010 | 1/6/2014 |
| James Nack, DPM | Mankato | Podiatrist | Professional Member | 3/19/2008 | 1/2/2012 |
| Stephen Powless, DPM | Minneapolis | Podiatrist | Professional Member | 3/20/2007 | 1/3/2011 |
| Esther Newcome | White Bear Lake | | Public Member | 3/16/2009 | 1/7/2013 |
| Judy Swanholm | St. Paul | | Public Member | 3/29/2010 | 1/6/2014 |

Board of Podiatric Medicine Mission

The Podiatric Medicine Board is the official podiatrist licensure agency of the state (M.S. 153.01-153.26). The mission of the Board is to protect the public by extending the privilege to practice to qualified applicants, and by investigating complaints relating to the competency or behavior of individual licensees or registrants. In addition, the Board responds to inquiries regarding scope of practice, provides license verification information to credentialing agencies and medical facilities, and initiates legislative changes, as needed to update the practice act for podiatric medicine.

## Board of Podiatric Medicine Functions

### Setting and administering educational requirements and examination standards for podiatric licensure:

- Reviewing podiatric functions and required knowledge, skills and abilities to aid in determining requirements for initial and continuing licensure
- Setting licensure requirements through statutes and administrative rules
- Developing and administering the state examination to determine candidate knowledge of Minnesota statutes and rules governing podiatric medicine
- Reviewing continuing education programs submitted by sponsors or individuals to determine if they meet requirements
- Reviewing individual applicant/licensee documentation for completion of requirements for initial and continuing licensure

### Responding to public and agency inquiries, complaints and reports regarding licensure and conduct of applicants, permit holders, licensees and unlicensed practitioners

- Accepting complaints and reports from the public and health care providers and regulators
- Determining whether a complaint or inquiry is jurisdictional and deciding on the appropriate course of action to resolve the matter
- Referring inquiries and complaints to other investigative, regulatory or assisting agencies
- Responding to complainants and agency reports by informing the complainants/ agencies of action taken to resolve their complaints while observing provisions of the data practices act regarding the legal status of data obtained during the course of an investigation or disciplinary proceeding

### Pursuing educational or disciplinary action with licensees as deemed necessary based upon results of investigations conducted in response to complaints/reports.

- Setting standards of conduct and a basis for disciplinary action through statutes and administrative rules
- Seeking information directly from the licensee as well as securing investigation and fact finding information from other agencies in response to complaints or inquiries
- Holding conferences with licensees to identify their roles and responsibilities in a matter under investigation
- Providing applicants and licensees with education to improve their respective practices and to prevent recurrence of problems
- Obtaining voluntary agreements to disciplinary actions, or pursuing disciplinary action through a due process, contested case hearing or court action, as needed

### Providing information and education about licensure requirements and procedures and standards of practice to the public and other interested audiences

- Providing information to the community concerning requirements for podiatric licensure
- Providing information about careers in podiatric medicine and licensure requirements to prospective applicants for licensure
- Providing information to licensees to prevent inappropriate practice and for improved practice resulting in higher quality podiatric health care
- Providing the public with licensure information about podiatrists and notification regarding disciplinary action taken against licensees
- Providing information to legislative committees on statute changes and biennial budgets
- Providing information and discussing legislation with the association representative
- Providing information at the Executive Director's Forum and the meetings of the Council of Health Boards

Minnesota Board of Psychology

Number and Type of Credentials Issued or Renewed

| **Total Number of persons licensed or registered as of June 30, 2010** | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010** | | **Number and Per Cent of Credential Renwed Online during biennium ending June 30, 2010** |
|---|---|---|---|
| 3,450 | Type<br>Licensed Psychologist (LP)<br><br>Licensed Psychological Practitioner (LPP) | Number<br>3,471<br><br>69 | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: 0 (online renewal not yet available)** |

| **Total Number of persons licensed or registered as of June 30, 2008** | **Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008** | | **Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008** |
|---|---|---|---|
| 3,863 | Type<br><br>Licensed Psychologist (LP)<br><br>Licensed Psychological Practitioner (LPP) | Number<br><br>3,720<br><br>143 | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**Total: 0 (online renewal not yet available)** |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| 3,695 | Type<br><br>Licensed Psychologist (LP)<br><br>Licensed Psychological Practitioner (LPP) | Number<br><br>3,644<br><br>51 | **# / Per Cent [list by type; if unavailable by type, list total only]**<br><br>**Total: 0 (online renewal not yet available)** |

Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Type of complaint | Number of Complaints Received online |
|---|---|---|
| **Total:** 261 | | **Total:** 0 |
| 128 | MN Stat. 148.941 2a(1) | |
| 2 | MN Stat. 148.941 2a(2) | |
| 69 | MN Stat. 148.941 2a(3) | |
| 19 | MN Stat. 148.941 2a(4) | |
| 1 | MN Stat. 148.941 2a (5) | |
| 3 | MN Stat. 148.941 2a(6) | |
| 0 | MN Stat. 148.941 2a(7) | |
| 4 | MN Stat. 148.941 2a(8) | |
| 0 | MN Stat. 148.941 2a (9) | |
| 2 | MN Stat. 148.941 2a (10) | |
| 3 | MN Stat. 148.941 Subd. 6 | |
| 6 | MN Stat. 148.96 | |
| 24 | Non-jurisdictional | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Type of complaint | Number of Complaints Received online |
|---|---|---|
| **Total: 273** | | **Total:** 0 |
| 165 | MN Stat. 148.941 2a(1) | |
| 2 | MN Stat. 148.941 2a(2) | |
| 50 | MN Stat. 148.941 2a(3) | |
| 0 | MN Stat. 148.941 2a(4) | |
| 0 | MN Stat. 148.941 2a (5) | |
| 2 | MN Stat. 148.941 2a(6) | |
| 0 | MN Stat. 148.941 2a(7) | |
| 9 | MN Stat. 148.941 2a(8) | |
| 0 | MN Stat. 148.941 2a (9) | |
| 16 | MN Stat. 148.941 2a (10) | |
| 0 | MN Stat. 148.941 Subd. 6 | |
| 5 | MN Stat. 148.96 | |
| 24 | Non-jurisdictional | |

| **Number of Complaints Received (opened) by type in biennium ending June 30, 2006** | | **Number of Complaints Received online** |
|---|---|---|
| **Total: 249** | | **Total:** 0 |
| 136 | MN Stat. 148.941 2a(1) | |
| 4 | MN Stat. 148.941 2a(2) | |
| 42 | MN Stat. 148.941 2a(3) | |
| 1 | MN Stat. 148.941 2a(4) | |
| 3 | MN Stat. 148.941 2a (5) | |
| 1 | MN Stat. 148.941 2a(6) | |
| 0 | MN Stat. 148.941 2a(7) | |
| 16 | MN Stat. 148.941 2a(8) | |
| 0 | MN Stat. 148.941 2a (9) | |
| 6 | MN Stat. 148.941 2a (10) | |
| 7 | MN Stat. 148.941 Subd. 6 | |
| 10 | MN Stat. 148.96 | |
| 23 | Non-jurisdictional | |

The Board's Complaint Resolution Procedure begins with the Board's receipt of a complaint. Complaints are received by the Board in three ways: by telephone, mail and walk-in inquiries. When Board staff receives a telephone inquiry regarding an alleged violation of law or rule by a licensee or applicant of the Board, a complaint form and written instructions are sent to the caller. Complaints are often submitted to the Board in the form of a letter detailing a complaint that falls within the jurisdiction of the Board. These letters may be the basis to open a complaint file without the need for the completion of a complaint form. Walk-in inquiries are handled in the same manner as telephone inquiries except that the complaint form and instructions may be given to the complainant to either fill out in the Board office or take home and mail back at a later date. In order for the Board to open an investigation on a complaint, the complaint must be received in notarized and writing.

Number and age of complaints open at the end of the period

| **Number of Complaints Closed in biennium ending June 30, 2010** | **Number of Complaints Open as of June 30, 2010 [listed by < one year or > One year]** |
|---|---|
| 295 | Total: 84<br>Open < 1 year = 57<br>Open > 1 year = 27 |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 [listed by < one year or > One year] |
|---|---|
| 207 | Total: 240<br>Open < 1 year = 162<br>Open > 1 year = 78 |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 [listed by < one year or > One year] |
|---|---|
| 233 | Total: 207<br>Open < 1 year = 163<br>Open > 1 year = 44 |

The purpose of the Board of Psychology is to protect the public as it relates to the practice of psychology. The Board has statutory authority to take action for the violation of specific laws and rules. Upon considering the law and the facts, if the Board determines a violation of the Psychology Practice Act has occurred the Board will take the action which best protects the public and which provides appropriate remediation. The Board utilizes a variety of actions, basing its decision on the nature and seriousness of the violation and the evidence to substantiate the violation. The Board also takes into consideration corrective measures that have already been implemented and the time that has elapsed since the alleged violation. The Board uses non-disciplinary approaches such as corrective action agreements, educational meetings, or referral to the Health Professionals Services Program, when appropriate. The Board seeks the cooperation and agreement of the licensee whenever possible. The Board seeks to treat all parties involved in the complaint resolution process with respect and courtesy and strives to operate its complaint resolution processes in a timely and fiscally responsible manner.

Minnesota Board of Psychology

Receipts, Disbursements and Major Fees

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Fee Amount | FY 2009 and FY 2010 (receipts) | Disbursements FY 2009 and FY 2010 | Receipts FY year ending June 30, 2010 |
|---|---|---|---|---|
| Application to EPPP | $150.00 | FY 2010: $14,850 + FY 2009: $16,650 = **$31,500** | Total: $1,483,109.89 | Total:$2,192,193.25 |
| Application to PRE | $150.00 | FY 2010: $15,750 + FY2009: $23,350 = **$39,100** | | |
| Application for LP licensure | $500.00 | FY2010: $55,000 + FY 2009: $69,150 = **$124,150** | | |
| LP Renewal (biannual) | $500.00 | FY2010: $910,500 + FY2009: $815,000 = **$1,725,500** | | |
| LP Late Renewal Fee | $250.00 | FY2010: $8,500 + FY2009: $7,250 = **$15,750** | | |
| Application for LPP Licensure | $250.00 | FY2010: 0 + FY2009: $5,750 = **$5,750** | | |
| LPP Renewal (biannual) | $250.00 | FY2010: $2,500 + FY2009: $15,500 = **$18,000** | | |
| LPP Late Renewal Fee | $125.00 | FY2010: $125 + FY2009: $125 = **$250** | | |
| Application for Converting from master's to doctoral level LP licensure | $150.00 | FY2010: $1,050 + FY2009: $900 = **$1950** | | |
| Application for Converting from LPP to LP licensure | $500.00 | FY2010: $18,500 + FY2009: $29,000 = **$47,500** | | |
| Application for Guest Licensure | $150.00 | FY2010: $300 + FY2009: $300 = **$600** | | |
| Emeritus Registration | $150.00 | FY2010: $750 + FY2009: $450 = **$1,200** | | |
| Corporation Registration | $100.00 | | | |
| Corporation Annual Renewal | $25.00 | FY 2010: $4,475.00 + FY2009: $4,700 = **$9,175** | | |
| Duplicate License | $25.00 | FY2010: $250 + FY2009: $125 = **$375** | | |
| Statute and Rule book | $10.00 | FY2010: $1,110 + FY2009: $1,570 = **$2,680** | | |
| License Verification | $20.00 | FY2010: $108,800 + FY2009: $108,010 = **$216,810** | | |
| Continuing Education Sponsor Fee | $80.00 | FY2010: $18,080 + FY2009: $19,940 = **$38,020** | | |
| Mailing/Duplication | | FY2010: $3,009 + FY2009: $8,085 = **$11,094** | | |

| **Fees 2008 [list by license type / renewal term (e.g., annual, biannual)]** | | **Disbursements FY 2007 and FY 2008** | **Receipts FY ending June 30, 2008** |
|---|---|---|---|
| Application to EPPP | $150.00 | Total: $1,791,165 | Total: $2,227,570 |
| Application to PRE | $150.00 | | |
| Application for LP licensure | $500.00 | | |
| LP Renewal (biannual) | $500.00 | | |
| LP Late Renewal Fee | $250.00 | | |
| Application for LPP Licensure | $250.00 | | |
| LPP Renewal (biannual) | $250.00 | | |
| LPP Late Renewal Fee | $125.00 | | |
| Application for Converting from master's to doctoral level LP licensure | $150.00 | | |
| Application for Converting from LPP to LP licensure | $500.00 | | |
| Application for Guest Licensure | $150.00 | | |
| Emeritus Registration | $150.00 | | |
| Corporation Registration | $100.00 | | |
| Corporation Annual Renewal | $25.00 | | |
| Duplicate License | $25.00 | | |
| Statute and Rule book | $10.00 | | |
| License Verification | $20.00 | | |
| Continuing Education Sponsor Fee | $80.00 | | |

| **Fees 2006 [list by license type / renewal term (e.g., annual, biannual)]** | | **Disbursements FY 2005 and FY 2006** | **Receipts FY ending June 30 2006** |
|---|---|---|---|
| Application to EPPP | $150.00 | Total: $1,582,869 | Total: $2,249,892 |
| Application to PRE | $150.00 | | |
| Application for LP licensure | $500.00 | | |
| LP Renewal (biannual) | $500.00 | | |
| LP Late Renewal Fee | $250.00 | | |
| Application for LPP Licensure | $250.00 | | |
| LPP Renewal (biannual) | $250.00 | | |
| LPP Late Renewal Fee | $125.00 | | |
| Application for Converting from master's to doctoral level LP licensure | $150.00 | | |
| Application for Converting from LPP to LP licensure | $500.00 | | |
| Application for Guest Licensure | $150.00 | | |
| Emeritus Registration | $150.00 | | |
| Corporation Registration | $100.00 | | |
| Corporation Annual Renewal | $25.00 | | |
| Duplicate License | $25.00 | | |
| Statute and Rule book | $10.00 | | |
| License Verification | $20.00 | | |
| Continuing Education Sponsor Fee | $80.00 | | |

Minnesota Board of Psychology

The State of Health Occupation Regulation

The Board continues to embrace the use of technology in health licensing and to streamline internal operating procedures. The Board is in the final testing phase for implementation of online renewal and verification services. Website modifications have been made to improve electronic communication with the public, applicants and licensees. The Board continues to update agency rules and to plan for a proactive legislative agenda.

Emerging issues regarding the regulation of licensed psychologists and licensed psychological practitioners include:

- Facilitation of mobility between jurisdictions. The Board worked towards creation and implementation of three new types of licensure including, Licensed Psychologist Licensure by Reciprocity, Licensure for Volunteer Practice, and Guest Licensure.
- Prescription privileges and scope of practice issues are being discussed on the international and national levels.
- The use of web-based technology for both online education and the provision of psychological services via electronic is a growing trend. Development of rules and or statutory language remains a consideration as the use of technology within the practice of psychology increases.
- Number of employees and employee responsibilities (included below)

Names and job classifications of board employees

| Board Name | Name of Employee | Job Classification |
|---|---|---|
| Minnesota Board of Psychology | | |
| | Angelina M. Barnes | Executive Secretary (1.00 FTE) |
| | Debby Sellin-Beckerleg | Management Analyst I (.80 FTE) |
| | Michelle Elliott | State Program Administrator (1.00 FTE) |
| | Bendu Hallowanger -Gray | Student Worker-Clerical (1.00 FTE) |
| | Natasha Johnson | Office & Administrative Specialist (.88 FTE) |
| | Patricia LaBrocca | Investigator (1.00 FTE) |
| | Paula Laudenbach | Office & Administrative Specialist (1.00 FTE) |
| | Robin Madsen | Office Specialist (1.00 FTE) |
| | Gail Schiff | Investigator (1.00 FTE) |
| | Mary Seiger | Office & Administrative Specialist (1.00 FTE) |
| | Eileen Spencer | Office & Administrative Specialist (1.00 FTE) |

Brief summary of board rules proposed or adopted during the reporting period with appropriate citations to the State Register and published rules

| Board Name | Legislative/Rule Change in Biennium by Board | No Legislative /Rule Change in Biennium by Board |
|---|---|---|
| Minnesota Board of Psychology | | |
| | The proposed amendments and modifications to the permanent rules relating to terminology, licensure, continuing education, and rules of conduct. Minnesota Rules, 7200.0200 through 7200.3700; Minnesota Rules 7200.0110; Minnesota Rules 7200.3820 through 7200.3850 and Minnesota Rules 7200.4500 through 7200.5750. The rules promulgation process is ongoing. | |

Locations and dates of the administration of examinations by the board

- **Location:** 2829 University Park Place, Minneapolis, MN 55414

| Board Name | National Test [yes/no] | Number of persons taking examination in biennium ending June 30, 2010 | Number of persons passing examination |
|---|---|---|---|
| Minnesota Board of Psychology | | | |
| EPPP (national) | Yes | 223 | 184 |
| PRE (state) | | 269 | 235 |

- Number of persons previously licensed or registered by the board whose licenses or registrations were revoked, suspended, or otherwise altered in status with brief statements for the reasons for the revocation, suspension, or alteration.

| Board Name | Number of Revocations | Number of suspensions | Number of conditioned/ restricted | Reprimand | Unconditional | Non-Disciplinary |
|---|---|---|---|---|---|---|
| Minnesota Board of Psychology | 3 | 3 | 10 | 4 | 5 | 2 |

| Type of License Actions | Brief statement for the reason of revocation, suspension or conditioned/restricted licensure |
|---|---|
| **Revocation/Surrender**<br>Revoked | Minn. Stat. sec. 148.941, subd 2(a) (4) (2008) conviction of a felony |
| Surrender | Minn. R. 7200.4810, subp.1 (impaired objectivity); Minn. R. 7200.4810, subp. 2.A (dual relationship with client) |
| Voluntarily Surrender | |
| **Suspension**<br>Suspension | Minn. R. 7200.5700 (2005); (2) (10) (mental or physical illness or condition. Minn. R. 7200.4810, subps. 1(2005) (impaired objectivity and 2.D (sever physical or mental health problem) |
| Suspension | Amendment to original 2008 Order |
| Suspension | Minn. R. 7200.4900, subp. 8 (2005) |
| **Conditional or Restricted**<br>Conditional | Removed suspension; (original 2007 order. Minn. R. 7200.4900, subp. 8 (2005)) |
| Conditional | Minn. Stat., sec. 148.941, subd. 2a(6) (discipline in another jurisdiction) |
| Conditional | Minn. Stat., sec. 148.941, subd. 2a(6) (discipline in another jurisdiction) |
| Conditional | Re-licensed with conditions of original 2006 Order (suspension) |
| Conditional | Removed suspension; (original 2007 order. Minn. R. 7200.4900, subp. 8 (2005)) |
| Conditional | Minn. Stat., sec. 148.941, subd. 2a(6) (discipline in another jurisdiction) |
| Conditional | Minn. R. 7200.4813, subp. 1 and 3 (impaired objectivity) |
| **Conditional and Restricting**<br>Conditional and Restricting | Minn. R. 7200.7500 (unprofessional conduct) |
| Conditional and Restricting | Minn. R. 7200.4600, subps. 1 and 3 (competence) |
| Conditional and Restricting | Minn. R. 7200.4600, subp. 1 (failure to limit practice to area of competency),Minn. R. 7200.4900, subp failure to maintain accurate records. Minn. R. 7200.5000 subp. 1b administration and/or interpretation of psychological test. |
| **Reprimand**<br>Reprimand | Minn. Stat., sec 148.941, subd. 2(a)(3) (2006), Minn. R. 7200.5700 (unprofessional conduct) |
| Reprimand | Minn. R. 7200.5700 (2005) (engaged in practice of psychology without a license |
| Reprimand | Minn. R. 7200.5700 (unprofessional conduct) |
| Reprimand | Minn. R. 7200.4810, Subp.1 (2008) (impaired objectivity) Minn. R. 7200.4810, Subp. 2.A. (2008) (dual relationship) |
| **Unconditional**<br>Unconditional | Satisfied requirements/conditions of original 2006 Order |
| Unconditional | Original Order 2005 (Minn. Stat., sec. 148.941, subd. 2(a) (10) inability to practice with reasonable skill and safety to clients due to mental/physical illness /condition |
| Unconditional | Satisfied requirements/conditions of original 1995 Order |
| Unconditional | Satisfied remedies of original 2007 Order and 2008 Order for conditional license |
| Unconditional | Original 2008 Order |
| **Non-Disciplinary** | |
| Stip and Order | Stipulation and Consent Order to cease practice |
| Findings of Fact, conclusions and Final Order | Deny Licensure |

Board Members

The Board of Psychology consists of eleven Board members who are appointed by the Governor. The Minnesota Psychology Practice Act (Minnesota Statutes, sections 148.88-148.99) requires that the Board consist of: three individuals licensed as licensed psychologists who have doctoral degrees in psychology, two individuals licensed as licensed psychologists who have master's degrees in psychology, two psychologists, not necessarily licensed, one with a doctoral degree in psychology representing different doctoral training programs in psychology, one individual licensed or qualified to be licensed as (i) through December 31, 2010, a licensed psychological practitioner; and (ii) after December 31, 2010, a licensed psychologist, and three public members.

Board Members

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Gerald Jensen, MA, LP | Brainerd, MN | Licensed Psychologist | Professional Member | July 8, 2003 | February 27, 2007 |
| Susan Hayes | Saint Louis Park, MN | Vice President of the Lutheran Community Foundation and Director of Community Grants and Services | Public Member | May 18, 2001 | July 8, 2003<br>February 27, 2007 |
| Ted Thompson, MEq, LP | Minneapolis, MN | Licensed Psychologist | Professional Member | August 27, 2003 | February 27, 2007 |
| Jean Wolf, Ph.D., LP | Saint Paul, MN | Licensed Psychologist | Professional Member | April 20, 2004 | August 25, 2008 |
| Susan Ward | Rochester, MN | NONE | Public Member | June 21, 2005 | March 16, 2009 |
| Margaret Fulton, Ph.D., LP | Saint Paul, MN | Licensed Psychologist | Professional Member | July 7, 2006 | June 28, 2010 |
| Chris Bonnell, JD | Buffalo, MN | Government Affairs Manager, Capella University (Capella Education Company) | Public Member | August 25, 2008 | June 28, 2010 |
| Jeffrey Allen Brown, Ph.D., LP | Eagan, MN | Assistant Professor and Associate Director of Practicum Training, Clinical Psychology, Argosy University | Professional Members | August 25, 2008 | 1st term |
| Thanh Son Thi Nguyen-Kelly, Ph.D., LP | North Saint Paul, MN | Licensed Psychologist | Professional Member | July 7, 2006 | N/A |
| Joseph Lee, MA, LP | Burnsville, MN | Licensed Psychologist | Professional Member | August 25, 2008 | Resigned: February 12, 2010 |

# Executive Director Narrative

The past two years have marked an exciting period of growth for the Minnesota Board of Psychology (Board). The Board is charged with providing public protection in an efficient and fiscally responsible manner through licensure and regulation of the practice of psychology.

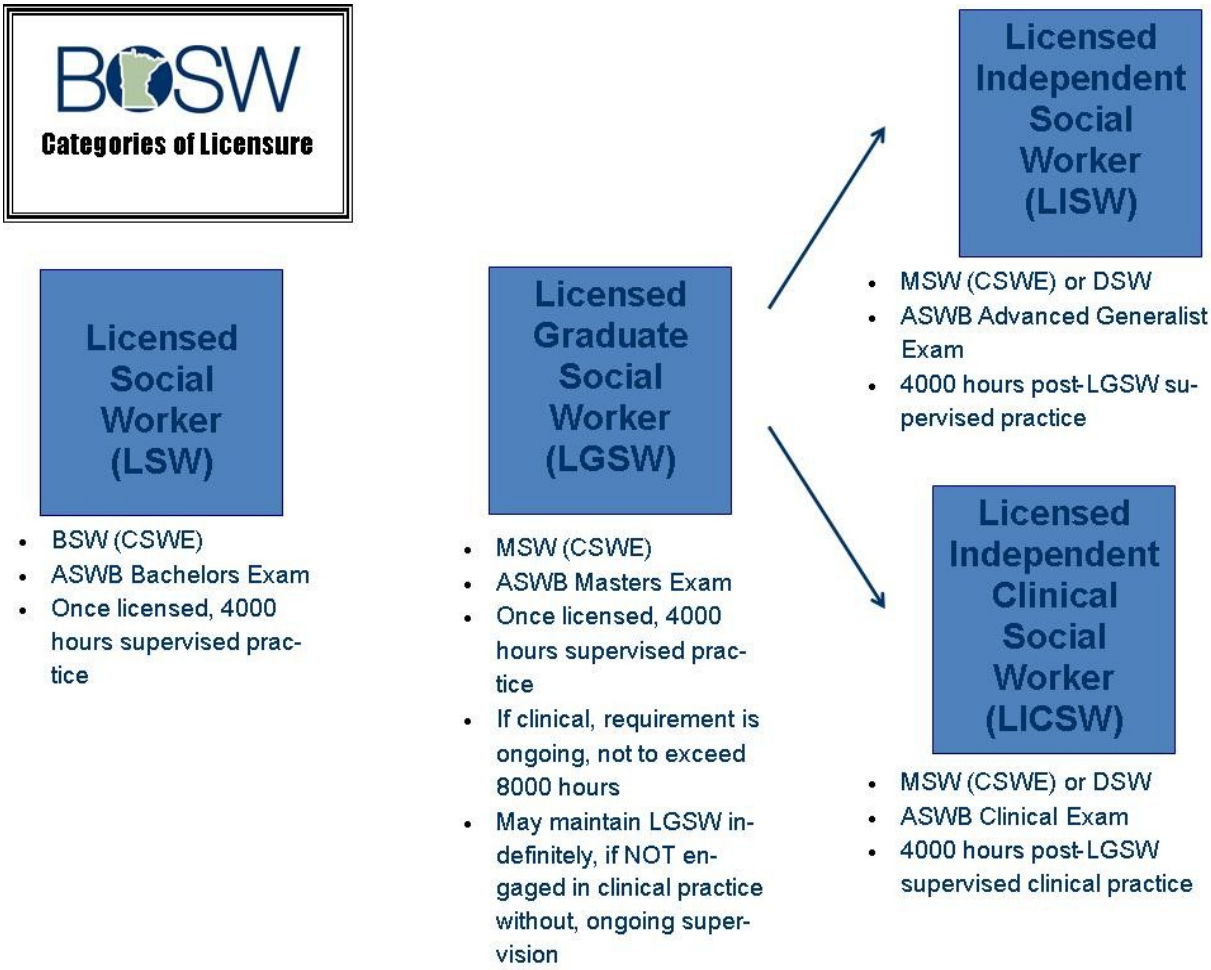
Throughout fiscal year 2010, the Board reviewed internal operating, licensure, and complaint resolution processes and procedures. Specifically, in accordance with the Board's drive to protect the public, and to ensure excellence in licensure and in complaint resolution, the Board spent significant time repositioning the agency model to reduce application and complaint resolution cycle times and to ensure the most efficient use of the Board's limited resources.

The Board continues to examine ways to improve public services and is dedicated to the health, safety and welfare of the citizens of the State of Minnesota. The Board has taken steps to reduce the amount of paper resources consumed and thus, decrease environmental waste. In conjunction with that goal, the Board made significant investments towards improving the use of technology in the regulation and licensure of psychology. A highlight of the biennium is the completion of the final testing phase for the Board's implementation of the online renewal and verification services.
Moving into the future, the Board has shifted to a proactive approach to examine pressing issues within the practice of psychology. The Board is excited to explore critical issues as they present both locally and nationally including continuing competence and ensuring life long learning, telepsychology and distance education, and issues relating to scope of practice.

Finally, as a priority, the Board, through the Rules Committee continues to work diligently to finalize the proposed administrative rules in the areas of licensure, continuing education, rules of conduct and terminology.

Minnesota Board of Social Work

Number and Type of Credentials Issued or Renewed




## Agency Purpose

The Board of Social Work was established in 1987 and is mandated by Minnesota Statutes 214 and 148D.001-148D.290 (MS 148E.001-148E.290 effective August 1, 2011), to promote and protect the public health, safety, and welfare through the licensure and regulation of persons who practice social work in this state.

The Board's public safety mission is to *ensure residents of Minnesota quality social work services by establishing and enforcing professional standards.* The Board's vision is *to protect the public through licensure of qualified social workers and to provide timely and impartial resolution of complaints against social workers.*

The Board provides core public safety services through the regulatory oversight of social workers, to ensure both high standards of social work practice and excellent customer service. Services are provided to the general public, consumers of social work services, social work applicants and licensees, students and faculty in social work academic programs, employers, supervisors, other state and local agencies, and state and national professional social work associations.

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | | |
|---|---|---|---|---|
| | Type ISSUED | RENEWED | ONLINE LICENSES Total | ONLINE RENEWAL Total |
| LSW 5785 | 346 | 2257 | | |
| LGSW 1576 | 334 | 502 | | |
| LISW 793 | 32 | 317 | 80% | 75% |
| LICSW 4044 | 269 | 1694 | | |
| Total 12198 | 981 | 4770 | | |
| Total Number of persons licensed or registered as of June 30, 2009 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2009 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2009 | | |
| | Type ISSUED | RENEWED | Online License Total | Online Renewal Total |
| LSW 5801 | 352 | 2310 | | |
| LGSW 1534 | 305 | 523 | | 70% |
| LISW 805 | 21 | 337 | 69% | |
| LICSW 3885 | 250 | 1640 | | |
| Total 12025 | 928 | 4810 | | |
| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008 | | |
| | Type ISSUED | RENEWED | Online License total | Online Renewal Total |
| LSW 5194 | 376 | 2153 | | |
| LGSW 1291 | 300 | 470 | 64% | 65% |
| LISW 697 | 24 | 326 | | |
| LICSW 3357 | 224 | 1485 | | |
| Total 10539 | 924 | 4434 | | |

| Total Number of persons licensed or registered as of June 30, 2007 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2007 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2007 | | |
|---|---|---|---|---|
| | Type ISSUED | RENEWED | Online License Total | Online Renewal Total |
| LSW 5119 | 342 | 2257 | | |
| LGSW 1086 | 291 | 498 | | |
| LISW 708 | 20 | 358 | | 62% |
| LICSW 3242 | 227 | 1510 | 60% | |
| Total 10155 | 880 | 4623 | | |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | | |
|---|---|---|---|---|
| | Type ISSUED | RENEWED | Online License Total | Online Renewal Total |
| LSW 5131 | 365 | 2116 | | |
| LGSW 1103 | 221 | 420 | | |
| LISW 741 | 43 | 331 | | |
| LICSW 3030 | 203 | 1397 | N/A | 52% |
| Total 10005 | 799 | 4264 | | |

**24/7 Access to Online Services and Information:** The Board has provided online services 24/7 to customers since 2004 via the Board's website at www.socialwork.state.mn.us. The Board has identified, as a key priority, the development and utilization of electronic methods to provided online customer services, decrease application processing time, and increase efficiencies throughout Board operations, as demonstrated in the data below.
These services include robust online application services for both initial licensure and license renewal for applicants and licensees. Online license verification services allow the general public, employers, licensees, and credentialing entities to verify licensure status and to find out if public disciplinary/adverse action has been taken against a licensee. A video on the Board's compliance process, current and timely information on laws and regulations, downloadable forms, reports and brochures, and FAQs are available at the Board's website.
Since the inception of online application services, the Board has paid the online credit card transaction fees from its direct operational budget, averaging $13,000.00 yearly, rather than assessing the fees to applicants and licensees.

- Visits to the Board's website: 4000 per month
- Online License Verification/Lookup: 49,377 since 2006
- Online Board Action Search to View Public Disciplinary/Adverse Action: 10,458 since 2006
- Online License Application: 30,431 since 2006 (52% in 2006; increased to 84% in 2010)
- Online License Renewal: 49,069 since 2006 (4% in 2004; and increased to 73% in 2010)
- Downloadable Forms: 19,042 since 2007
- Online Streaming Compliance Process Video since 2008

Minnesota Board of Social Work

Number of Complaints Received

DATA IS COMPLAINTS OPENED

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 106<br>**See allegation type for each year below in excel chart** | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2009 | Number of Complaints Received online |
|---|---|
| 123 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 116 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2007 | Number of Complaints Received online |
|---|---|
| 106 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 91 | N/A |

| Fiscal Year | FY 7/1/2009 - 6/30/2010 | FY 7/1/2008 - 6/30/2009 | FY 7/1/2007 - 6/30/2008 | FY 7/1/2006 - 6/30/2007 | FY 7/1/2005 - 6/30/2006 |
|---|---|---|---|---|---|
| Boundaries | 2 | 6 | 6 | 4 | 13 |
| Confidentiality | 11 | 4 | 5 | 6 | 7 |
| Failure to Report | 1 | 0 | 2 | 1 | 3 |
| Fee Payment Issue | 2 | 0 | 3 | 1 | 1 |
| Impairment | 13 | 16 | 16 | 15 | 10 |
| Licensure | 2 | 6 | 3 | 6 | 2 |
| Non-Jurisdictional | 0 | 0 | 0 | 0 | 0 |
| Other | 1 | 0 | 0 | 0 | 0 |
| Practice Issue | 47 | 67 | 63 | 47 | 49 |
| Sexual Conduct or Harass-ment | 5 | 4 | 2 | 2 | 0 |
| Unlicensed Practice Mis-representation | 5 | 9 | 10 | 11 | 2 |
| Violation of Board Order | 0<br>Bottom of Form | 0<br>Bottom of Form | 0<br>Bottom of Form | 0<br>Bottom of Form | 0<br>Bottom of Form |

Bottom of Form

| # Opened | # To Licensees | # To Non-licensees | # Per 1000 Licensees | |
|---|---|---|---|---|
| FY 7/1/2009 - 6/30/2010 | 106 | 93 | 14 | 8.7<br>Bottom of Form |
| # Opened | # To Licensees | # To Non-licensees | # Per 1000 Licensees | |
| FY 7/1/2008 - 6/30/2009 | 123 | 112 | 11 | 11.5<br>Bottom of Form |
| # Opened | # To Licensees | # To Non-licensees | # Per 1000 Licensees | |
| FY 7/1/2007 - 6/30/2008 | 116 | 110 | 9 | 12.4<br>Bottom of Form |
| # Opened | # To Licensees | # To Non-licensees | # Per 1000 Licensees | |
| FY 7/1/2006 - 6/30/2007 | 106 | 95 | 11 | 11.7<br>Bottom of Form |
| # Opened | # To Licensees | # To Non-licensees | # Per 1000 Licensees | |
| FY 7/1/2005 - 6/30/2006 | 91 | 89 | 3 | 11.7<br>Bottom of Form |

Bottom of Form

**Public Protection through Discipline/Complaint Resolution Services:** Staff, Board Members, and the Office of the Attorney General work collaboratively to review, investigate, and take action, as appropriate, in alleged complaint cases against licensed social workers. When a licensee is determined to have engaged in conduct which is a violation of the Board's standards of practice, an appearance before Board Members occurs, with final action determined by the full Board. In addition, staff provide informational services to a variety of customers regarding the Board's statutory requirements and standards of practice, including how to file a complaint and the complaint resolution process. The Board also works with the Health Professionals Services Program (HPSP), the state's diversion program for regulated professionals who are impaired, as an additional method to ensure public protection.

**Public Protection through Complaint Resolution:**

| | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 |
|---|---|---|---|---|---|
| **Complaints Received** | 89 | 107 | 121 | 120 | 101 |
| **Complaints Resolved** | 113 | 94 | 111 | 138 | 108 |
| **Board Action Taken** | 24 | 14 | 8 | 6 | 20 |

Measures demonstrate a trend in which complaints have remained fairly constant. However, recent complaints are reported to be more complex in nature. Two contested cases in the last biennium were resolved, which impact the budget. The Board has been proactive in presenting educational sessions on the standards of practice and ethical decision making to professionals and students, and created a compliance video which is accessible from the Board's website. Processing time has decreased in recent years as demonstrated in the data below; however, cases which require investigation by the Office of the Attorney General require more time to resolve. In addition, the creation of a second Compliance Panel was implemented in September 2009, allowing alleged complaints to be reviewed every month rather than every month. The Board's Statute specifies deadlines by which licensees, complainants must be notified, and deadlines by which complaints must be resolved.

**Complaint Resolution Time:**

- 50% of complaints are resolved in 3 months or less
- 75% of complaints are resolved in 6 months or less
- 90% of complaints are resolved in 9 months or less
- 3% of complaints are resolved in 9-18 months

**e-Compliance Initiative:** A strategic goal, implemented in 2009, was to improve the complaint review process and move from a "paper system" that was expensive, non-green, labor-intensive, and required copying and mailing reams of investigative data to Board Members, while ensuring that copied data was disposed of securely. Utilizing the new "e-Compliance system" allows all investigative data to be scanned and accessed by Board Members from laptop computers via a secure internet connection. The positive outcomes include increased security, decreased time to process complaints, greater efficiencies in record retention, and decreased costs.

Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or > One year] |
|---|---|
| 108 | 106 cases opened July 1, 2009-June 30, 2010<br>25 cases not resolved at end of June 30,2010<br>83 cases resolved in one year or less<br>0 cases resolved for greater than one year |

| Number of Complaints Closed in biennium ending June 30, 2009 | Number of Complaints Open as of June 30, 2009<br>[listed by < one year or > One year] |
|---|---|
| 137 | 123 cases opened July 1, 2008-June 30,2009<br>37 case not resolved at end of June 30,2010<br>113 cases resolved in one year or less<br>10 cases resolved in greater than one year |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or > One year] |
|---|---|
| 110 | 116 cases opened July 1, 2007-June 30, 2008<br>47 cases not resolved at end of June 30,2008<br>107 cases resolved in one year or less<br>7 cases resolved in greater than one year |

| Number of Complaints Closed in biennium ending June 30, 2007 | Number of Complaints Open as of June 30, 2007<br>[listed by < one year or > One year] |
|---|---|
| 101 | 106 cases opened July 1, 2006-June 30,2007<br>43 cases not resolved at end of June 30, 2007<br>87 cases resolved in one year or less<br>18 cases resolved in greater than one year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006<br>[listed by < one year or > One year] |
|---|---|
| 116 | 91 cases opened July 1, 2005-June 30, 2006<br>34 cases not resolved end of June 30, 2007<br>79 cases resolved in one year or less<br>12 cases resolved in greater than one year |

| Disbursements | (Indirect and Direct) | | | |
|---|---|---|---|---|
| FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 |
| $865,972.00 | $974,098 | $978,401 | $1,100,579 | $994,788 |

| Revenue | | | | |
|---|---|---|---|---|
| FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 |
| $1,102,638 | $1,038,962 | $1,030,274 | $1,088,602 | $984,915 |

| | | |
|---|---|---|
| Major Fees for FY 2006-FY 2009 (Reduced by 20% Effective January 1, 2006) | | |
| Application Fees | | |
| | Licensure by Endorsement | $85.00 |
| | LSW, LGSW, LISW & LICSW | $45.00 |
| Licensure and Renewal Fees (payable every 2 years) | | |
| | LSW | $90.00 |
| | LGSW | $160.00 |
| | LISW | $240.00 |
| | LICSW | $265.00 |
| Major Fees for FY 2010 (Reduced by 10% Effective July 1, 2009) | | |
| | Licensure by Endorsement | $85.00 |
| | LSW, LGSW, LISW & LICSW | $45.00 |
| Licensure and Renewal Fees (payable every 2 years) | | |
| | LSW | $81.00 |
| | LGSW | $144.00 |
| | LISW | $216.00 |
| | LICSW | $238.50 |



| Fees 2010 [list by license type / re- | Disbursements FY 2010 | | | | |
|---|---|---|---|---|---|

The board is responsible for collecting sufficient revenue to cover both direct and indirect expenditures, which is deposited as non-dedicated revenue into the state government special revenue fund. From this fund, the board receives a direct appropriation to pay for agency activities such as salaries, rent, costs for disciplinary/contested cases and operating expenditures. It also pays statewide indirect costs through an open appropriation.

| | FY 2009 | FY 2010 |
|---|---|---|
| Appropriation | $1,022,000 | $921,000 |
| Revenue | $1,088,602 | $984,915 |
| Direct & Indirect Expenditures | $1,100,579 | $994,788 |

The Board of Social Work proposed a 20% licensing fee decrease during the 2005 Legislative Session which was enacted January 1, 2006, and an additional 10% licensing fee reduction during the 2009 Legislation Session which was enacted, and took effect July 1, 2009. The Board has been committed for years to holding down expenditures, such as, reducing the frequency of meetings, limiting travel, not filling staff positions due to attrition, successfully promoting online services, and moving to paperless meetings. The Board collects fees just sufficient to conduct business, minimizing the financial impact on applicants and licensees served, while providing an excellent level of customer service to the residents of Minnesota.

Board fees are also responsible for covering a prorated share of support functions provided outside of the Board itself. These include legal support (Attorney General), statewide e-licensing system development and operations (Office of Enterprise Technology), centralized administrative support (Health Boards Administrative Services Unit) and funding for services to health professionals (Health Professionals Services Program). Recently health related licensing boards' reserves in the state government special revenue fund were also transferred to the general fund.

## Key Activity Goals & Measures

The Board's primary goal is to promote and ensure public safety for the residents of Minnesota. This goal can be measured by the following data which demonstrates positive output, outcome, and efficiency measures.
**Public Protection through Licensing Professionals Who Demonstrate Licensure Standards:**

| | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 |
|---|---|---|---|---|---|
| **Applications Received** | 1231 | 1333 | 1418 | 1451 | 1457 |
| **Licenses Granted** | 748 | 881 | 925 | 892 | 977 |
| **Licenses Renewed** | 4400 | 3945 | 4604 | 4849 | 4510 |
| **Supervision Plans Reviewed** | 1070 | 1010 | 1141 | 1068 | 1061 |
| **Supervision Verifications Reviewed** | 1726 | 1686 | 1719 | 1835 | 1610 |
| **Continuing Education Providers Approved** | N/A | 266 | 255 | 270 | 280 |

Measures demonstrate a trend in which there is a gradual increase in the number of licensees and applications processed. Staffing was decreased in 2006, and has remained constant, currently 10.6 FTE, even with the increase in services provided to customers, due to internal process improvements and increased utilization of online services.

## Emerging Issues

**Modify Current Licensing Exemptions** – The Board identified a 10-year goal to modify the current social work licensing exemptions in MS 148D.065, to improve the Board's ability to ensure public safety and consistent standards for both private and public sector social work professionals, and to provide consumers of social work services access to the Board's complaint resolution process. A Legislative Task Force was convened in 2005 and charged with this initiative.

The Task Force has met with ten key stakeholder groups, and continues these meetings, and public forums. The Board plans to bring forward a legislative proposal in the 2011 Legislative Session. It is estimated there are approximately 2,000 unlicensed persons employed by Minnesota counties providing "social work" services.

**Increased Licensing Standards -** Changes enacted by the 2007 Legislature will increase standards for clinical practice, including academic coursework, supervision, licensing supervisors, and continuing education (CE). Additional changes will increase standards related to supervision, licensing supervisors, and continuing education for all other licensees. The new provisions are based on the Department of Human Services Task Force Report on Clinical Standards, and will take effect August 1, 2011.

**Board Strategic Plan Initiative:** The Board conducted a strategic planning exercise in August 2007, which resulted in a strategic action plan containing over 100 tasks, of which 83% were executed by early 2010. A follow-up Strategic Re-alignment Workshop was conducted in May 2010, to reassess and reprioritize the Board Strategic Plan. A new action plan is being developed to prioritize goals in order to further track outcomes.

## External Factors Impacting Agency Operations

The number of licensees regulated by the Board continues to rise, as do the number of complaints and the complexity of the cases. Also, professional factors and trends include the growth of accredited Masters of Social Work degree programs in Minnesota; increased demand for third-party reimbursement for social work services; increased demands on licensing supervisors; and the emerging trend of social workers providing tele-mental health services to clients. Societal and demographic factors and trends include social work workforce shortages, particularly in underserved ethnic and racial minority communities, and greater and rural Minnesota; and an increasing need for persons from ethnic and racial minority communities to join the licensed social work professional workforce.

**Outreach and Public Education:** The Board provides information regarding licensing requirements and standards of practice to the public and stakeholder groups. Board members and staff provided approximately 86 public education programs during FY 2009 and FY 2010 at state and national conferences and to bachelors and masters social work academic programs throughout the state. During this time period the Board updated the "Minnesota Social Work Licensure: A Handbook for Students", and created new brochures on topics such as the complaint resolution process, continuing education, supervised practice, and when a social work license is required. In addition, at the request of the Legislature, after 14 months of work, a report was provided to the Legislature in December 2008, regarding the need to increase the number of Social Workers serving underserved communities. The report also explored alternative options to obtain licensure rather than requiring a standardized examination.

**Board Structure and Duties:** The Board meets six times per year and consists of ten social work licensees and five public members appointed by the Governor to serve four-year terms. The Board develops legislative agendas to address policy issues, oversees the agency budget, acts to resolve complaints against social workers, and directs a staff of 10.6 FTEs. All meetings of the Board, its committees, and advisory committees are subject to the Minnesota Open Meeting Law, Minnesota Statutes, Chapter 13D. In addition, various Board committees meet regularly, including: Executive; Legislation and Rules; Finance; Compliance Committee; Nominating; Compliance Education Outreach; Ad Hoc Committees, as needed; Advisory Committee.
Minnesota Statutes, section 148D.025, subdivision 2, specifies that the Board consists of 15 members:

- 10 social workers licensed under sections 148D.055:
  - a social work member must have engaged in the practice of social work in Minnesota for at least one year during the ten years preceding their appointment;
  - five members must be licensed social workers at the baccalaureate level; and
  - five members must include a licensed graduate social worker, a licensed independent social worker, and at least two licensed independent clinical social workers.
- 5 public members as defined in section 214.02.
- In addition, at least five members must have expertise in communities of color, and at least six must reside outside of the 11-county metropolitan area.

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Christine Black-Hughes, Board Vice Chair, LICSW | Mankato MN | Social Work Professor | Professional Member | April 2008 | January 2012 |
| David Hallman, LSW | Moorhead MN | County Social Worker | Professional Member | April 2008 | January 2012 |
| Rosemary Kassekert | Minneapolis MN | Retired | Public Member | March 2009 | January 2013 |
| Janna Kovach, LSW | Saint Paul MN | Director of Social Services | Professional Member | March 2009 | January 2013 |
| Mary Casey Ladd, LICSW, LMFT | Duluth MN | Clinical Social Worker, Family Therapist | Professional Member | April 2008 | January 2012 |
| Kenneth Middlebrooks, Board Chair | Minneapolis MN | Retired | Public Member | August 2007 | January 2011 |
| Carol Payne, LSW | Becker MN | Health Care Field Consultant | Professional Member | March 2009 | January 2013 |
| Ruth Richardson | St. Paul MN | Attorney | Public Member | March 2009 | January 2013 |
| Nicole Roiger, LSW | St. Peter MN | Forensic Social Worker | Professional Member | May 2010 | January 2014 |
| Tamerlee Ruebke, LSW | Hendrum MN | School Social Worker | Professional Member | May 2010 | January 2014 |
| Beverly Ryan, LISW | St. Paul MN | Hospital Social Worker | Professional Member | March 2009 | January 2013 |
| David Sandry, Board Secretary-Treasurer | Mankato MN | Small Business Owner Director | Public Member | August 2007 | January 2011 |
| Angie Stratig, LICSW | Minneapolis MN | Clinical Social Worker | Professional Member | April 2008 | January 2011 |
| Antonia Wilcoxon, MA | St. Paul MN | Project Manager, MN Department of Human Services | Public Member | March 2009 | January 2013 |

# Executive Director Narrative

At the close of this biennium it is exciting to take stock of the Board of Social Work's many accomplishments and gather focus and momentum as new strategic goals are identified. The Board's mission is to *ensure residents of Minnesota quality social work services by establishing and enforcing professional standards,* and its vision is *to protect the public through licensure of qualified social workers and to provide timely and impartial resolution of complaints against social workers.*

Important goals have been realized in this recent biennium, as highlighted by the following outcomes and accomplishments:

- A licensing fee decrease of 10%, effective July 1, 2009, was enacted by the Legislature. The policy decision to decrease licensing fees was the culmination of a careful analysis to ensure fiscal responsibility, by better balancing revenues with expenditures, reducing expenditures, while still providing core public safety services.
- A "paperless" complaint resolution process was established in 2009, which has created enhanced record security, greater operational efficiencies, and cost savings.
- The Board completed 83% of the 100 goal initiatives from the 2007 strategic planning exercise, by the spring of 2010. A Strategic Plan Realignment Workshop was conducted in May 2010 to identify critical goals for the next few years.
- The utilization rate of online services has steadily increased from 52% in 2006, to 84% in 2010 for online application services; and from 4% in 2004, to 73% in 2010 for online license renewal services; and 49,377 online license verifications have been recorded since 2006.
- During FY 2009 and FY 2010 Board members and staff provided approximately 86 public education programs regarding licensing requirements and standards of practice at state and national conferences, and to Minnesota bachelors and masters social work academic programs.
- The Board's Executive Director was recognized nationally for outstanding board service, and awarded the Association of Social Work Boards "Board Administrator of the Year" in 2009.

The Board has identified the following key goals in its strategic plan for the next biennium:

- The Board will be embarking on its most significant legislative initiative since the inception of social work licensing in Minnesota in 1987. At its September 17 meeting the Board approved its 2011 Legislative Proposal, to modify the current licensing exemptions for persons employed as "social workers" in 1) city, county, and state agencies, and in 2) private non-profit agencies whose primary service focus addresses ethnic minority populations, and who are themselves members of ethnic minority populations within those agencies.
- Implementation of the increased licensing standards, effective August 1, 2011, will also be a priority for staff and the Board over the next year.
- Enhancement and creation of new online services continues to be an ongoing priority to better meet the needs of applicants and licensees, to offer greater access to all stakeholder groups, and create greater operational efficiencies.

It has been my privilege and a challenge to serve as the Executive Director since February 2008. I wish to thank Board Members for their countless hours of volunteer service, expertise, leadership, and passion. I also wish to thank our extremely competent Board Staff, who are committed to carrying out the Board's mission.

As the Board approaches a new biennium and decade, challenges and opportunities will continue to present themselves. The Board must position itself to work collaboratively, to monitor state and national issues, and to respond effectively to emerging policy and social work practice issues, amidst ever changing demographics in our State, and the reality of diminishing resources. Board and Staff are committed to the Board's mission of public protection and serving the residents of Minnesota.

Minnesota Board of Veterinary Medicine
Number and Type of Credentials Issued or Renewed

| Total Number of persons licensed or registered as of June 30, 2010 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2010 | Number and Per Cent of Credentials Renewed Online during biennium ending June 30, 2010 | |
|---|---|---|---|
| 3,114 | Type<br><br>Veterinarian | Number<br><br>2847 renewed<br>276 new | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>80%<br>**Total 2,278** |

| Total Number of persons licensed or registered as of June 30, 2008 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2008 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2008<br>[by type, if available] | |
|---|---|---|---|
| 3,046 | Type<br><br>Veterinarian | Number<br><br>2,758 renewed<br>304 new | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**65%**<br>**Total 1,783** |

| Total Number of persons licensed or registered as of June 30, 2006 | Number and Type of Credentials Issued or Renewed during biennium ending June 30, 2006 | Number and Type of Credentials Renewed Online (# and per cent) during biennium ending June 30, 2006 | |
|---|---|---|---|
| 2,955 | Type<br><br>Veterinarian | Number<br><br>2,662 renewed<br>275 new | **# / Per Cent**<br>**[list by type; if unavailable by type, list total only]**<br><br>**44%**<br>**Total 1162** |

The Board initiated online renewals in December 2003. 8o % of all licensees renew their veterinary license online using safe and user friendly electronic government services.

Minnesota Board of Veterinary Medicine
Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | Number of Complaints Received online |
|---|---|
| 66 Incompetence<br>37 Unprofessional Conduct<br>5 Chemical Dependency<br>32 Unlicensed Practice<br>4 Sanitation<br>4 Non-jurisdictional<br>Total 148 | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | Number of Complaints Received online |
|---|---|
| 64 Incompetence<br>35 Unprofessional Conduct<br>7 Chemical Dependency<br>23 Unlicensed Practice<br>3 Sanitation<br>4 Non-jurisdictional<br>134 Total | N/A |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | Number of Complaints Received online |
|---|---|
| 57 Incompetence<br>73 Unprofessional Conduct<br>2 Chemical Dependency<br>40 Unlicensed Practice<br>4 Sanitation<br>5 Non-Jurisdictional<br>182 Total | N/A |

The majority of the complaints that the board receives involve allegations of veterinary incompetence and inappropriate professional behavior and conduct. In addition to these complaints a significant number involve allegations of unlicensed individuals engaging in the practice of veterinary medicine.

Minnesota Board of Veterinary Medicine
Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010<br>[listed by < one year or<br>> One year] |
|---|---|
| 111<br>2 | <one year<br>>one year |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008<br>[listed by < one year or<br>> One year] |
|---|---|
| 111<br>8 | <one year<br>>one year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006<br>[listed by < one year or<br>> One year] |
|---|---|
| 135<br>2 | < one year<br>>one year |

There are three complaint committees, one large animal and two companion animal, made up two board members per committee supported by board staff and an assistant attorney general. Only board members serving on the complaint committee determine the outcome of the complaint and possible remedy for the identified violations. These complaint committees work diligently to assure public safety and licensee accountability in a timely and direct manner for both complainants and the subject of the complaint.

## Format for Requirement 4

Minnesota Board of Veterinary Medicine
Receipts, Disbursements and Major Fees

| Fees 2010 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2010 |
|---|---|
| | $169,094 |

| Fee | Amount |
|---|---|
| Jurisprudence Examination | $50 |
| Application | $50 |
| Initial License | $200 |
| Biennial Active License Renewal | $200 |
| Biennial Inactive License Renewal | $100 |
| Temporary Permit | $50 |
| Late fee (Inactive renewal) | $50 |
| Late fee (Active renewal) | $100 |
| Professional Firm Registration | $100 |
| Professional Firm Annual Report | $25 |
| Duplicate License | $10 |
| Mailing List | $100 |
| CE Sponsor Approval | $50 |
| License Verification | $25 |

| Fees 2008 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2008 |
|---|---|
| | $164,289 |

| Fee | Amount |
|---|---|
| Jurisprudence Examination | $50 |
| Application | $50 |
| Initial License | $200 |
| Biennial Active License Renewal | $200 |
| Biennial Inactive License Renewal | $100 |
| Temporary Permit | $50 |
| Late fee (Inactive renewal) | $50 |
| Late fee (Active renewal) | $100 |
| Professional Firm Registration | $100 |
| Professional Firm Annual Report | $25 |
| Duplicate License | $10 |
| Mailing List | $100 |
| CE Sponsor Approval | $50 |
| License Verification | $25 |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2006 |
|---|---|
| | $155,339 |

| Fee | Amount |
|---|---|
| Jurisprudence Examination | $50 |
| Application | $50 |
| Initial License | $200 |
| Biennial Active License Renewal | $200 |
| Biennial Inactive License Renewal | $100 |
| Temporary Permit | $50 |
| Late fee (Inactive renewal) | $50 |
| Late fee (Active renewal) | $100 |
| Professional Firm Registration | $100 |
| Professional Firm Annual Report | $25 |
| Duplicate License | $10 |
| Mailing List | $100 |

The Minnesota Board of Veterinary Medicine is financed by licensee fees and receives no general fund dollars. License fees were last increased fees in 1997. A fiducially responsible and fiscally prudent board has consistently operated at or below budget expenditure projections. Budget appropriations not expended are held in the special revenue fund to be used for unbudgeted expenses for disciplinary actions and litigation costs in contested cases. In 2009 a 10% veterinary license surcharge was accessed to licensees to provide funding for Office of Enterprise Technology (OET). In FY 2010 greater than $24,000 was collected from licensees and transferred to OET.

In addition to online license renewal the Minnesota Board of Veterinary Medicine website offers licensees the ability to update address and contact information online and allows citizens of Minnesota to check license verification of veterinarians and review disciplinary actions taken against veterinarians. The board website also provides access to complaint forms, continuing education sponsor forms and license application forms among others.

The development of additional diagnostic and therapeutic techniques in animal care and which groups of individuals are best suited to provide care to animals continues to be a challenge in the regulation of veterinary medicine. The publics' desire to utilize alternative and complementary diagnostic and therapeutic services on their animals requires the board to continually evaluate scope of practice issues.

The number of complaints, the complexity of the complaints and the number of licensees regulated continues to increase. Board staff has continued to operate at 1.75 FTE in spite of additional workload demand through the evaluation and streamlining of board processes and procedures in additional to embracing, utilizing and expanding electronic government services. Prompt response to inquiries and service to the citizens of Minnesota continues to be a top priority along with public protection through the regulation of veterinary medicine.

Board membership is comprised of seven, governor appointed citizens who administer the Statutes and Rules that govern the practice of veterinary medicine. Three scheduled board meetings are held each year with complaint committee meetings and conferences held on an as needed basis. Most complaint committee review is conducted on a closed, secured, web based application thus reducing the need for travel and complaint committee meetings.

| Board Member Name | Residence | Occupation | Professional Member / Public Member | Date of Appointment | Date of Reappointment |
|---|---|---|---|---|---|
| Barbara Fischley, DVM | North Branch | Veterinarian | Professional Member | 1/20/2010 | N/A |
| Jeremy Geske | New Prague | | Public Member | 7/7/2005 | 2/3/2009 |
| Meg Glattly, DVM | Eagan | Veterinarian | Professional Member | 2/17/1998 | 3/1/2007 |
| Delores Gockowski, DVM | Sturgeon Lake | Veterinarian | Professional Member | 4/2/2008 | N/A |
| John Lawrence, DVM | Lonsdale | Veterinarian | Professional Member | 7/8/2003 | 3/1/2007 |
| Joanne Schulman, DVM | Golden Valley | Veterinarian | Professional Member | 2/8/2010 | 1/20/2010 |
| Sharon Todoroff | Columbus | | Public Member | 4/2/2008 | N/A |

## Executive Director Narrative

Public protection and public safety continues to be the mission and top priority of the Minnesota Board of Veterinary Medicine. The board has effectively and efficiently met this mission with the resources derived from licensing fees and spending authority appropriated by the legislature and the Governor. The Minnesota Board of Veterinary Medicine and the 16 other allied health licensing boards in Minnesota are sole profession, collaborative state agencies that continue to be recognized nationally as a model for organizational structure and regulation. Several Board of Veterinary Medicine members also serve on national committees and boards that influence the regulation of veterinary medicine throughout North America.

Minnesota Office of Unlicensed Complementary and Alternative Health Care Practice

There are no licensing or registration activities in the Office of Unlicensed Complementary and Alternative Health Care Practice

Number of Complaints Received

| Number of Complaints Received (opened) by type in biennium ending June 30, 2010 | | Number of Complaints Received online |
|---|---|---|
| Sexual Misconduct | 12 | |
| Harm to Public/Client | 13 | |
| Misrepresentation | 3 | |
| False Advertising | 1 | |
| Failure to follow Order | 2 | |
| Criminal conviction | 0 | |
| Failure to furnish records | 0 | |
| Failure to use client BOR | 0 | |
| Other | 0 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2008 | | Number of Complaints Received online |
|---|---|---|
| Sexual Misconduct | 9 | |
| Harm to Public/Client | 7 | |
| Misrepresentation | 2 | |
| False Advertising | 0 | |
| Failure to follow Order | 0 | |
| Criminal conviction | 0 | |
| Failure to furnish records | 0 | |
| Failure to use client BOR | 0 | |
| Other | 0 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2006 | | Number of Complaints Received online |
|---|---|---|
| Sexual Misconduct | 5 | |
| Harm to Public/Client | 13 | |
| Misrepresentation | 3 | |
| False Advertising | 1 | |
| Failure to follow Order | 1 | |
| Criminal conviction | 2 | |
| Failure to furnish records | 1 | |
| Failure to use client BOR | 1 | |
| Other | 1 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2004 | Number of Complaints Received online |
|---|---|
| Sexual Misconduct 16<br>Harm to Public/Client 14<br>Misrepresentation 4<br>False Advertising 1<br>Failure to follow Order 0<br>Criminal conviction 0<br>Failure to furnish records 0<br>Failure to use client BOR 0<br>Other 5 | |

| Number of Complaints Received (opened) by type in biennium ending June 30, 2002 | Number of Complaints Received online |
|---|---|
| Sexual Misconduct 3<br>Harm to Public/Client 7<br>Misrepresentation 2<br>False Advertising 1<br>Failure to follow Order 0<br>Criminal conviction 0<br>Failure to furnish records 0<br>Failure to use client BOR 0<br>Other 4 | |

Number and age of complaints open at the end of the period

| Number of Complaints Closed in biennium ending June 30, 2010 | Number of Complaints Open as of June 30, 2010 [listed by < one year or > One year] |
|---|---|
| 10 | 3 Open less than one year<br>46 Open more than one year * |

| Number of Complaints Closed in biennium ending June 30, 2008 | Number of Complaints Open as of June 30, 2008 [listed by < one year or > One year] |
|---|---|
| 22 | 8 Open less than one year<br>20 Open more than one year |

| Number of Complaints Closed in biennium ending June 30, 2006 | Number of Complaints Open as of June 30, 2006 [listed by < one year or > One year] |
|---|---|
| 32 | 14 Open less than one year<br>20 Open more than one year |

| Number of Complaints Closed in biennium ending June 30, 2004 | Number of Complaints Open as of June 30, 2004 [listed by < one year or > One year] |
|---|---|
| 13 | 18 Open less than one year<br>19 Open more than one year |

| Number of Complaints Closed in biennium ending June 30, 2002 | Number of Complaints Open as of June 30, 2002 [listed by < one year or > One year] |
|---|---|
| 6 | 8 Open less than one year<br>1 Open more than one year |

* The Office of Unlicensed Complementary and Alternative Health Care Practice operations were suspended September 1, 2009 through June 30, 2010, due to unallotment, therefore, no investigative activity occurred on pending complaints during the remaining 10 months of FY 2010.

Receipts, Disbursements and Major Fees

| Fees FY 2009/2010 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2009/2010 |
|---|---|
| Civil Penalty $628 in FY 2009 | $77,802 (Operations suspended due to unallotment 09/01/09-06/30/2010). |

| Fees FY 2007/2008 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2007/2008 |
|---|---|
| Civil Penalty $805 in FY 2007 | $156,785 (includes $22,845 in costs for the Attorney General's office). |

| Fees 2006 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2005/2006 |
|---|---|
| Civil Penalty $4,425 in FY 2005; $705 in FY 2006 | $114,834 |

| Fees 2004 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2003/2004 |
|---|---|
| 0 | $33,332 (Investigator position vacant due to limited funding, FY 2004). |

| Fees 2002 [list by license type / renewal term (e.g., annual, biannual)] | Disbursements FY 2001/2002 |
|---|---|
| 0 | $50,164 |

Minnesota Office of Unlicensed Complementary and Alternative Health Care Practice (OCAP)
The State of Health Occupation Regulation

The purpose of this office, located in the Minnesota Department of Health (MDH) is to protect consumers who receive complementary and/or alternative health care services from practitioners who fall outside of state licensing authorities. These practitioners include, but are not limited to, persons who provide massage therapy, bodywork, homeopathy, traditional naturopathy, herbology, healing practices utilizing food, food supplements and nutrients, healing touch, culturally traditional healing practices, and traditional Oriental practices. There are an estimated 2,700 practitioners in Minnesota.

Complementary and alternative health care modalities continue to be a widely accepted and accessed option for health care consumers in Minnesota and across the nation. There is need for continuing regulatory oversight and personnel to disseminate information to practitioners, consumers and interested persons, along with reviewing research and studies of alternative and complementary modalities.

The office receives and investigates complaints against unlicensed complementary and alternative health care practitioners and may take civil enforcement action for violations of prohibited conduct. The office also acts as an information clearinghouse by providing the public, practitioners, and interested persons, with information about regulation of unlicensed complementary and alternative health care practitioners in Minnesota.

The office coordinates investigations involving matters within the jurisdiction of more than one regulatory agency by making appropriate referrals to other state boards, agencies, departments responsible for licensing health-related occupations, facilities and programs, and law enforcement personnel in this and other states.

OCAP continues to maintain a collaborative relationship with the local office of the Federal Food and Drug Administration (FDA). The FDA has continued to assist OCAP in understanding medical device regulation. OCAP and the FDA do not have overlapping jurisdictions, and such collaboration is necessary in order to be efficient and effective.
Additional items of interest

The office responded to 406 inquiries from practitioners, consumers, complainants, regulators and other interested persons during the biennium. These inquires included responding to questions, providing information about disciplinary actions taken, and mailing out brochures/information and complaint packets.

The office continued to revise and update its website to include better consumer and practitioner information. Interested persons can now review all disciplinary actions taken by the office since inception in 2001.

During the 2007-2008 legislative session, the legislature passed a proposal for the registration of naturopathic doctors by the Minnesota Board of Medical Practice and instructed the Commissioner of Health to convene a work group, which included the Director of the MDH Health Occupations Program and an OCAP representative, to make recommendations about naturopath registration. This task was completed and the recommendations submitted in March 2009. At the close of the biennium, there were 22 persons listed as registered naturopaths with the Minnesota Board of Medical Practice. This registration will have little impact on the operations of OCAP as less than one percent of OCAP practitioners will meet the requirements for registration as naturopathic doctors. Traditional naturopaths, not registered with the Minnesota Board of Medical Practice, remain under the jurisdiction of OCAP.

During FY 2009 and the first two months of FY 2010, the office had one FTE investigator. The office had no staff 09/01/2009 through 06/30/2010 due to unallotment. The office resumed operations 07/01/2010 and currently has one .75 FTE investigator.

Board Members

The Minnesota Office of Unlicensed Complementary and Alternative Health Care Practice does not have Board Membership.

STATE OF MINNESOTA

# Health Professionals Services Program

**BIENNIAL REPORT**
**JULY 1, 2008 TO JUNE 30, 2010**

GENERAL INFORMATION

Minnesota Statutes, section 214.31 to 214.37 charges the Health Professionals Services Program (HPSP) with the responsibility to "*protect the public from persons regulated by the* [health licensing] *boards* [and the Emergency Medical Services Regulatory Board and the Dept. of Health] *who are unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals or any other material, or as a result of any mental, physical or psychological condition*."

The Health Professionals Services Program (HPSP) is a program of the health-licensing boards that provides monitoring services to health professionals with illnesses that may impact their ability to practice. HPSP implements Monitoring Plans to ensure that the health professionals obtain adequate treatment and do not cause patient harm. A plan may include the participant's agreement to comply with continuing care recommendations, practice restrictions, random drug screening, and support group participation.

## MISSION AND GOALS

The mission of HPSP is to enhance public safety in health care. Its goals are to promote early intervention, diagnosis and treatment for health professionals with illnesses, and to provide monitoring services as an alternative to board discipline. Early intervention enhances the likelihood of successful treatment, before clinical skills or public safety are compromised.

## MAJOR FUNCTIONS

**Provide health professionals with services to determine if they have an illness that warrants monitoring:**

- Evaluate symptoms, treatment needs, immediate safety and potential risk to patients
- Obtain substance, psychiatric, and medical histories along with social and occupational data
- Determine practice limitations, if necessary
- Secure records consistent with state and federal data practice regulations
- Collaborate with medical consultants and community providers concerning treatment

**Create and implement monitoring contracts:**

- Specify requirements for appropriate treatment and continuing care
- Determine illness-specific and practice-related limitations or conditions

**Monitor the continuing care and compliance of program participants:**

- Communicate monitoring procedures to treatment providers, supervisors and other collaborative parties
- Review records and reports from treatment providers, supervisors and other sources regarding the health professional's level of functioning and compliance with monitoring
- Coordinate toxicology screening process
- Intervene, as necessary, for non-compliance, inappropriate or inadequate treatment, or symptom exacerbation

**Consult with licensees, licensing boards, health employers, practitioners, and medical communities:**

- Provide information and set standards for early intervention and monitoring of impaired professionals;
- Refer inquiries to appropriate government or community resources;
- Provide outreach services to hospitals, clinics, and professional associations;
- Conduct research on professional impairment, appropriate care, and potential for harm; and
- Consult with health-licensing boards on illness related issues.

# BOARD MEMBERS, STAFF AND BUDGET

Composition of Committees, Administration and staff:

## Program Committee Members

The Program Committee consists of one representative of each participating board. The Program Committee provides direction and assures the participating boards that HPSP is operating effectively and efficiently to achieve the purposes outlined in statute. Its goals are to ensure that the public is protected, participants are treated with respect, the program is well-managed, financially secure and operating consistently within the statute. The committee designates one of the health-related boards to act as an Administering Board to provide administrative support to HPSP. The Program Committee meets quarterly. Current Program Committee members include:

| Member Name | Representing the Board of: | | Member Name | Representing the Board of: |
|---|---|---|---|---|
| Judi Gordon | Behavioral Health and Therapy | | Kim Hill | Chiropractic Examiners |
| Kim Hill | Chiropractic Examiners | | Randy Snyder | Nursing Home Administrators |
| Neal Benjamin | Dentistry | | Marlene Reid | Optometry |
| Kyle Renell , Chair | Department of Health | | Stacey Jassey | Pharmacy |
| Janelle Peterson | Dietetics and Nutrition | | Kathy Polhamus | Physical Therapy |
| Katherine Burke-Moore | Emergency Services | | Esther Newcombe | Podiatric Medicine |
| | Marriage and Family | | Susan Ward | Psychology |
| Keith Berge | Medical Practice | | Rosemary Kassekert | Social Work |
| Maria Reines | Nursing | | Sharon Todoroff | Veterinary Medicine |
| Judi Gordon | Behavioral Health and Therapy | | | |

## Advisory Committee Members

The Advisory Committee is required by statute to advise the Program Committee and the Program Manager. The Advisory Committee consists of one person appointed by each professional association by any means acceptable to them as identified in (Minn. Stat., section 214.32 subd. 1 (c) (1).) The Advisory Committee meets quarterly. Current Advisory Committee members include:

| Member Name | Representing the: | | Member Name: | Representing the: |
|---|---|---|---|---|
| Jim Alexander, Vice Chair | MN Pharmacists Association | | Not appointed | MN Society for Respiratory Care |
| Bruce Benson | MN Health Systems Pharmacists | | Todd Miller | Physicians Serving Physicians |
| Lois Cochran Schlutter | MN Psychological Association | | -open- | Public Member |
| Mary Ann Foldesi | MN Academy Of Physician Assist. | | Karen Sames | MN Occupational Therapy Assoc. |
| Stephen Gulbrandsen | MN Dental Association | | Debra Sidd | MN Dental Hygienists Association |
| Jody Haggy | MN Nurses Association | | Karolyn Stirewalt, Chair | MN Medical Association |
| Megan Hartigan | MN Ambulance Association | | Sandy Swanson | MN Physical Therapy Association |
| Randy Herman | MN Assoc. Of Social Workers | | Scott Wells | MN Veterinary Association |
| Rose Nelson | Ad Hoc Member | | | |

### Administering Board

HPSP is not an independent State agency. By statute, one of the health licensing boards is designated to administer the program. The Emergency Services Regulatory Board (EMSRB) served as the Administering Board from 2001 to June 2008. The Board of Dentistry, under the leadership of Marshall Shragg, took over as HPSP's Administering Board in 2008.

### Board Staff and HPSP Staff Work Group

Each board designates one or more representatives to meet regularly with program staff as part of a work group to discuss issues relating to HPSP policies, procedures and activities. The Program Manager solicits agenda items from all the members of the work group. Board representatives communicate the interests and concerns of their boards to the HPSP staff as well as obtain information to enhance the operations of the HPSP consistent with statute.

### HPSP Staff

HPSP is staffed with seven employees; 5 case managers, 1 office manager, and 1 program manager. Two positions remain vacant due to budgetary restrictions.

| Staff Member | Position | Position Classification |
|---|---|---|
| Monica Feider, MSW, LICSW | Program Manager | State Program Administrator Director |
| Tracy Erfourth, BS | Case Manager | State Program Administrator Principal |
| Marilyn Miller, MS, LICSW | Case Manager | State Program Administrator Principal |
| Mary Olympia, BS, LSW | Case Manager | State Program Administrator Principal |
| Kurt Roberts, EdD, LADC | Case Manager | State Program Administrator Principal |
| Kimberly Zillmer, BA, LADC | Case Manager | State Program Administrator Principal |
| Sheryl Jones | Office Manager | Office and Administrative Specialist Principal |
| Office Assistant | Vacant | Office Specialist |
| Case Management Assistant | Vacant | Office and Administrative Specialist Intermediate |

## Receipts and Disbursements

HPSP is a service program and does not generate revenue. Licensing fees fund 96% of HPSP. The remaining 3% comes is paid for by the general fund for persons regulated the EMSRB and the Department of Health. Each board pays an annual $1,000 participation fee and a pro-rata share of program expenses based on the number of licensees they have in the program.

# TREND DATA

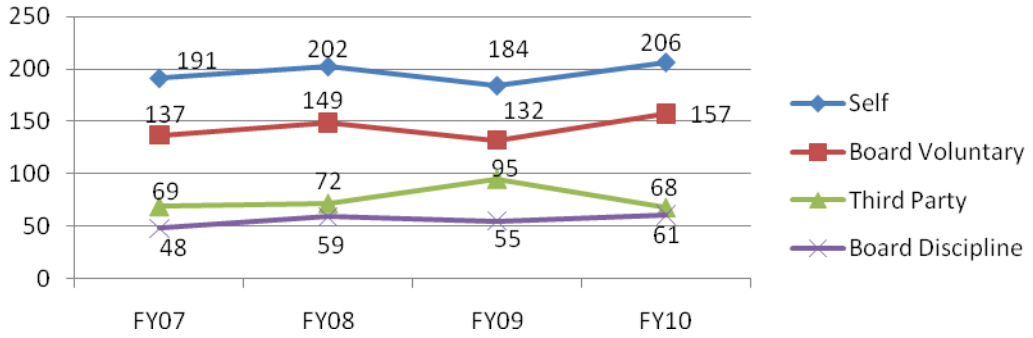
## PARTICIPATION

When the HPSP started in August of 1994, five licensing boards participated in the program. Today all fifteen health-licensing boards participate, as well as the Emergency Medical Services Regulatory Board and three professions administered by the Department of Health. This totals over 200,000 persons eligible for program services.

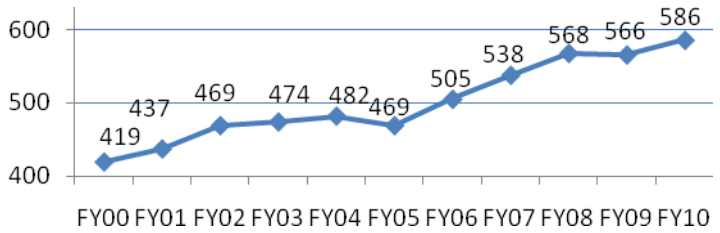
When the HPSP was conceived, it was not anticipated that health professionals would seek help and report themselves to the program at the current rate. While this is viewed as a positive response to program services, which enhances public safety in health care, participating boards are bearing the increased cost. Program growth puts financial stress on boards, which in turn, impacts the program.

Program resources need to be consistent with the rate of program growth. The current rate of growth threatens the ability of the program to provide quality services to health professionals who may be unable to practice safely.

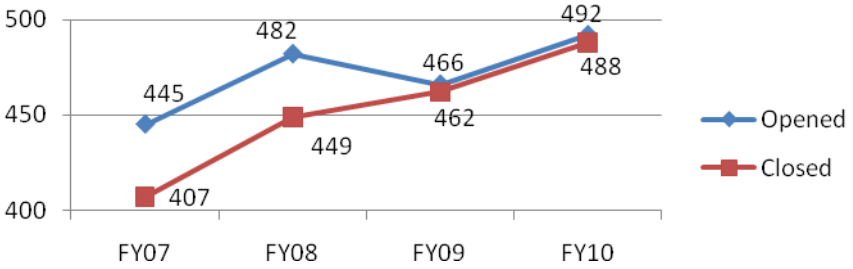
Number of Referrals by Referral Source and Fiscal Year




Number of Cases Open at End of Fiscal Year

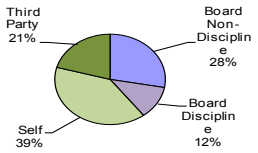



Number of Cases Opened and Closed by Fiscal Year

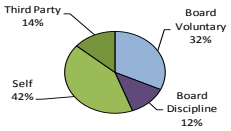


## Fiscal Year 2009 Referrals by First Referral Source:

The following chart shows the percentage of referrals by first referral source from July 1, 2008 to June 30, 2009:




## Fiscal year 2010 Referrals by First Referral Source




## Comparing Referrals – Fiscal Years 2007 to 2010:

The tables below show the numbers of health professionals referred to HPSP by board and referral sources over the past four fiscal years.

| Referrals by First Referral Source and Board | Nursing Home Admin. | | | | Behavioral Health & Therapy | | | | Chiropractic | | | | Dentistry | | | | Dept. of Health | | | | Dietetics & Nutritionists | | | | EMSRB | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Fiscal Year** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** |
| Board Non-Discipline | 0 | 0 | 2 | 0 | 3 | 5 | 0 | 8 | 14 | 9 | 11 | 12 | 16 | 23 | 26 | 44 | 2 | 6 | 3 | 3 | 0 | 0 | 0 | 0 | 4 | 18 | 3 | 7 |
| Board Discipline | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 3 | 4 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Self | 0 | 0 | 0 | 0 | 6 | 2 | 1 | 10 | 4 | 0 | 1 | 3 | 3 | 7 | 5 | 2 | 2 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 7 | 8 | 2 | 3 |
| Third Party | 0 | 0 | 0 | 0 | 1 | 2 | 4 | 3 | 0 | 0 | 1 | 0 | 4 | 2 | 4 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 3 |
| **Sum** | **0** | **0** | **2** | **0** | **10** | **9** | **5** | **21** | **18** | **9** | **15** | **16** | **26** | **36** | **35** | **53** | **4** | **7** | **6** | **3** | **0** | **0** | **0** | **0** | **14** | **27** | **6** | **13** |

| Referrals by First Referral Source and Board | Marriage & Family | | | | Medical Practice | | | | Nursing | | | | Optometry | | | | Pharmacy | | | | Physical Therapy | | | | Podiatric Medicine | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Fiscal Year** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** |
| Board Non-Discipline | 0 | 0 | 0 | 1 | 20 | 15 | 23 | 21 | 70 | 60 | 50 | 49 | 0 | 0 | 0 | 0 | 2 | 3 | 5 | 3 | 3 | 4 | 3 | 3 | 0 | 0 | 0 | 0 |
| Board Discipline | 0 | 0 | 0 | 0 | 2 | 4 | 5 | 5 | 36 | 43 | 44 | 49 | 0 | 2 | 0 | 1 | 4 | 1 | 4 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Self | 2 | 1 | 3 | 1 | 35 | 34 | 32 | 28 | 113 | 128 | 125 | 136 | 0 | 0 | 0 | 0 | 13 | 5 | 4 | 9 | 0 | 1 | 4 | 3 | 0 | 0 | 0 | 0 |
| Third Party | 0 | 0 | 0 | 0 | 3 | 16 | 13 | 5 | 50 | 44 | 58 | 48 | 0 | 0 | 0 | 0 | 1 | 5 | 8 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Sum** | **2** | **1** | **3** | **2** | **60** | **69** | **73** | **59** | **269** | **275** | **277** | **282** | **0** | **2** | **0** | **1** | **20** | **14** | **21** | **17** | **3** | **6** | **7** | **6** | **0** | **0** | **0** | **0** |

| Referrals by First Referral Source and Board | Psychology | | | | Social Work | | | | Veterinary Medicine | | | | TOTALS | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Fiscal Year** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | **07** | **08** | **09** | **10** | 07 | 08 | 09 | **10** |
| Board Non-Discipline | 1 | 3 | 0 | 1 | 2 | 2 | 4 | 2 | 0 | 1 | 2 | 3 | 137 | 149 | 132 | 157 |
| Board Discipline | 0 | 0 | 0 | 1 | 2 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 48 | 59 | 55 | 61 |
| Self | 1 | 3 | 1 | 1 | 4 | 8 | 3 | 9 | 1 | 2 | 0 | 1 | 191 | 202 | 184 | 206 |
| Third Party | 2 | 2 | 2 | 1 | 5 | 0 | 4 | 0 | 1 | 1 | 0 | 0 | 69 | 72 | 95 | 68 |
| **Sum** | **4** | **8** | **3** | **4** | **13** | **12** | **11** | **11** | **2** | **5** | **2** | **4** | **445** | **482** | **466** | **492** |

| Discharges by Category and Board | Nursing Home Admin. | | | | Behavioral Health & Therapy | | | | Chiropractic | | | | Dentistry | | | | Dept. of Health | | | | Dietetics & Nutritionists | | | | EMSRB | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Fiscal Year** | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 |
| Completion | 0 | 0 | 0 | 0 | 3 | 1 | 1 | 1 | 2 | 5 | 3 | 3 | 7 | 6 | 5 | 5 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 2 | 1 | 6 | 2 |
| Voluntary Withdraw | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 |
| Non-Compliance | 0 | 0 | 0 | 0 | 4 | 2 | 1 | 3 | 4 | 1 | 3 | 1 | 7 | 6 | 4 | 4 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 | 4 | 4 | 1 |
| Deceased | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ineligible - Monitored | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Ineligible – Not Monitored | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| No Contact | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 0 | 1 | 4 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 |
| Non-Cooperation | 0 | 0 | 0 | 0 | 2 | 0 | 3 | 3 | 2 | 0 | 1 | 0 | 1 | 3 | 1 | 3 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 3 | 4 |
| Non-Jurisdictional | 0 | 0 | 2 | 0 | 1 | 2 | 2 | 0 | 10 | 5 | 8 | 9 | 7 | 18 | 25 | 32 | 1 | 2 | 2 | 2 | 0 | 0 | 0 | 0 | 2 | 10 | 1 | 3 |
| Sum | 0 | 1 | 2 | 0 | 11 | 6 | 8 | 15 | 18 | 11 | 17 | 14 | 26 | 37 | 40 | 47 | 1 | 5 | 6 | 3 | 0 | 0 | 0 | 0 | 11 | 21 | 16 | 10 |

| Discharges by Category and Board | Marriage & Family | | | | Medical Practice | | | | Nursing | | | | Optometry | | | | Pharmacy | | | | Physical Therapy | | | | Podiatric Medicine | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Fiscal Year** | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 |
| Completion | 0 | 0 | 0 | 0 | 33 | 24 | 33 | 39 | 60 | 73 | 85 | 98 | 1 | 0 | 0 | 0 | 7 | 3 | 8 | 12 | 3 | 1 | 1 | 3 | 1 | 0 | 0 | 0 |
| Voluntary Withdraw | 0 | 1 | 0 | 0 | 1 | 0 | 3 | 3 | 18 | 11 | 9 | 11 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Compliance | 0 | 0 | 0 | 0 | 1 | 6 | 2 | 1 | 93 | 98 | 79 | 74 | 0 | 0 | 0 | 0 | 2 | 9 | 1 | 3 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 |
| Deceased | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ineligible - Monitored | 0 | 0 | 0 | 0 | 6 | 6 | 4 | 2 | 9 | 10 | 13 | 16 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ineligible – Not Monitored | 0 | 1 | 0 | 0 | 1 | 7 | 7 | 2 | 12 | 12 | 12 | 15 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| No Contact | 0 | 0 | 0 | 0 | 3 | 2 | 5 | 0 | 5 | 4 | 12 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Cooperation | 1 | 0 | 0 | 0 | 4 | 5 | 3 | 2 | 22 | 27 | 20 | 32 | 0 | 0 | 1 | 0 | 2 | 2 | 5 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Jurisdictional | 0 | 0 | 2 | 0 | 15 | 9 | 14 | 21 | 15 | 25 | 28 | 19 | 0 | 0 | 0 | 1 | 2 | 0 | 3 | 2 | 0 | 4 | 2 | 1 | 0 | 0 | 0 | 0 |
| **Sum** | 1 | 2 | 2 | 0 | 65 | 63 | 73 | 70 | 235 | 260 | 259 | 276 | 1 | 0 | 1 | 1 | 15 | 18 | 19 | 25 | 5 | 5 | 4 | 6 | 1 | 0 | 0 | 0 |

| Discharges by Category and Board | Psychology | | | | Social Work | | | | Veterinary Medicine | | | | Total | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Fiscal Year | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 | 07 | 08 | 09 | 10 |
| Completion | 0 | 4 | 2 | 1 | 4 | 1 | 1 | 6 | 0 | 3 | 0 | 3 | 123 | 123 | 146 | 174 |
| Voluntary Withdraw | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 23 | 18 | 16 | 18 |
| Non-Compliance | 1 | 1 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 118 | 128 | 98 | 90 |
| Deceased | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 3 | 1 |
| Ineligible - Monitored | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 18 | 20 | 23 | 23 |
| Ineligible – Not Monitored | 1 | 1 | 0 | 1 | 2 | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 19 | 25 | 21 | 21 |
| No Contact | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 12 | 11 | 21 | 19 |
| Non-Cooperation | 0 | 0 | 0 | 1 | 2 | 2 | 5 | 0 | 0 | 0 | 1 | 0 | 37 | 44 | 44 | 49 |
| Non-Jurisdictional | 1 | 2 | 1 | 0 | 1 | 2 | 0 | 2 | 0 | 1 | 0 | 1 | 55 | 80 | 90 | 93 |
| Sum | 3 | 8 | 3 | 4 | 12 | 12 | 18 | 12 | 1 | 5 | 2 | 5 | 407 | 449 | 462 | 488 |