

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

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DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: October 12, 1990

TO: GEORGIA POMROY
Minnesota Technical College System
100 Capitol Square Bldg.

FROM: CHARLENE HATCHER
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 296-9422

SUBJECT: In the Matter of the Adopted Rule Relating to Instructional Licensure

The above-referenced rule has been approved as to its legality by the Attorney General on October 12, 1990.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of tne notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

CH:sc
Enclosures
cc: William Brown, Chief Judge
MaryAnn Hruby
Charles Mottl

Board of Vocational Technical Education

Adopted Permanent Rules Relating to Technical College Instructional Licensure

Rules as Adopted

3700.0400 LICENSES IN THE HEALTH OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach postsecondary vocational courses and programs in the health occupational area must meet the requirements in this part. These requirements are in addition to the requirements in part 3700.0100 and for a particular license (listed under the part that covers that particular license).

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the health occupational area must have 2,000 hours of occupational experience within the five years just before applying for licensure.

Subp. 3. **Substitution.** The total number of hours substituted for occupational experience must not exceed 4,000.

Subp. 4. **Does not apply.** Parts 3515.9920 to 3515.9930 do not apply to parts 3700.0400 and 3700.0466.

3700.0405 CHIROPRACTIC ASSISTANT.

Subpart 1. **May teach.** A teacher who has a chiropractic assistant instructor license may teach in the chiropractic assistant program.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Educational and occupational experience requirement.** The applicant must have the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.

A. Licensed chiropractor and 4,000 hours of occupational experience in a chiropractic office or chiropractic hospital. This experience must include office procedures,

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insurance coverage, physical agents application, X-ray, and examinations.

B. Diploma or 90 or more quarter credits from a two-year chiropractic technician or chiropractic assistant program and 6,000 hours of occupational experience as a technician or assistant in a chiropractic office or chiropractic hospital. The experience must include office procedures, insurance coverage, physical agents application, and assisting the chiropractor with X-ray and examinations.

C. Diploma or 45 or more quarter credits from a one-year chiropractic technician or chiropractic assistant program or an American Chiropractic Registered Radiologist technician and 7,000 hours of occupational experience as a technician or assistant in a chiropractic office or chiropractic hospital. The experience must include office procedures, insurance coverage, physical agents application, and assisting the chiropractor with X-ray and examinations.

Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, or at an industrial or military setting for 1,500 of the 2,000 hours required in part 3700.0400, subpart 2, if the teaching is done during the five-year period. The teaching must be in primary program content in chiropractic assisting, chiropractic technician, or chiropractic practice. Two hours of teaching equal one hour of occupational experience.

3700.0410 EKG/CARDIAC TECHNICIAN.

Subpart 1. **May teach.** A teacher who has an EKG/cardiac technician license may teach in the EKG/cardiac technician program and may also teach cardiopulmonary resuscitation.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Occupational experience requirement.** The applicant must have current cardiopulmonary resuscitation

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instructor certification and 8,000 hours of occupational experience in one of the following:

A. registered nurse in critical care using 12 lead cardiograms, exercise stress testing of clients, care of clients with pacemakers, and interpreting basic and advanced cardiac rhythms; or

B. supervisory EKG/cardiac technician.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in medicine, nursing, or cardiac technology may be substituted for 4,000 hours.

B. An associate degree in nursing, perfusionist, echo cardiac sonographer, EKG/cardiac technician, cardiac technology, biomedical equipment, cardiopulmonary, medical laboratory, medical technology, medical imaging, or radiography, or a bachelor's degree in biomedical science or medical technology may be substituted for 2,000 hours.

C. A diploma in nursing, perfusionist, EKG/cardiac technology, or cardiac technician may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two- or three-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in cardiac care, cardiac conditions, or cardiac equipment use and maintenance may be substituted. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, or at an industrial or military setting, or public safety agency for 1,500 of the 2,000

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hours required in part 3700.0400, subpart 2, if the teaching is done during the five-year period. The teaching must be in cardiac technology. Two hours of teaching equal one hour of occupational experience.

3700.0415 PHYSICAL THERAPIST ASSISTANT.

Subpart 1. **May teach.** A teacher who has a physical therapist assistant instructor license may teach in the physical therapist assistant program and may also teach courses in anatomy and physiology, medical terminology, exercise physiology, kinesiology, neuroanatomy and neurophysiology, and physical disability/rehabilitation.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Occupational and educational experience requirement.** The applicant must have the following experiences:

A. a bachelor's or higher degree with a major in physical therapy from an American Physical Therapy Association accredited institution;

B. physical therapist registration in the state of Minnesota; and

C. 4,000 hours of occupational experience as a registered physical therapist in at least two of the following: acute care setting, outpatient physical therapy, long-term care, or rehabilitation setting.

Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an American Physical Therapy Association accredited institution for 1,500 of the 2,000 hours required in part 3700.0400, subpart 2, if the teaching is done during the five-year period. The teaching must be in primary program content in physical therapy or physical therapy assistant. Two hours of teaching equal one hour of occupational experience.

3700.0420 PRACTICAL NURSING.

Subpart 1. **May teach.** A teacher who has a practical

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nursing instructor's license may teach the following: practical nursing, health unit coordinator, homemaker/home health aide, nursing assistant, passenger assistance, human services and medical assistant/nursing component, and may also teach the following courses:

A. integrated sciences/anatomy and physiology;

B. integrated sciences/medical terminology;

C. administration of medicines;

D. human behavior and communications in health care;

E. ethical/legal aspects of health care;

F. disease conditions;

G. ~~pediatric~~ maternal/child health care; and

H. geriatric health care.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Educational and occupational experience requirements.** The applicant must have current Minnesota nursing registration and the experience as described in item A, B, or C~~, or D~~. The education must be from an accredited postsecondary institution. The occupational experience may be as a registered nurse or licensed practical nurse.

A. A bachelor's or higher degree in nursing and 4,000 hours of occupational experience as a public health nurse, home health care nurse, or a nurse doing direct patient care in a hospital, skilled or intermediate nursing care facility, or in a hospice.

B. An associate degree in nursing and 6,000 hours of occupational experience as a public health nurse, home health nurse, or a nurse doing direct patient care in a hospital, skilled or intermediate nursing care facility, or in a hospice.

C. Diploma from a three-year nursing program and 4,000 hours of occupational experience as a public health nurse, home health nurse, or a nurse doing direct patient care in a hospital, skilled or intermediate nursing care facility, or in a hospice.

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Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution in nursing programs that prepare individuals for state licensure as a practical nurse or registered nurse for up to 1,500 of the 2,000 hours required in part 3700.0400. Two hours of teaching equal one hour of occupational experience.

3700.0425 PUBLIC SAFETY COMMUNICATION (911).

Subpart 1. **May teach.** A teacher who has a public safety communication (911) license may teach in the public safety communication (911) program and may also teach emergency communications.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience as an operator dispatcher or supervisor in a public safety communications center with a minimum of 6,000 of the 8,000 hours doing the job of an operator dispatcher. Operator dispatcher includes level III operator dispatcher or communication training operator (CTO). Supervisor includes lead dispatcher, head dispatcher, communications manager, assistant supervisor, or shift supervisor.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in law enforcement, criminal justice, corrections, emergency medical services, or fire protection may be substituted for 4,000 hours.

B. An associate degree in emergency medical service, fire protection, law enforcement, public safety communications, or a bachelor's degree or higher in public administration may be

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substituted for 2,000 hours.

C. A diploma in law enforcement, public safety, fire protection, or communication may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two- or three-year program equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in the use of public safety emergency telecommunications equipment may be substituted. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for occupational recency.** The applicant may substitute teaching experience at an accredited postsecondary institution, or at an industrial or military setting, or public safety agency for 1,500 of the 2,000 hours required in part 3700.0400, subpart 2, if the teaching is done during the five-year period. The teaching must be in public safety communication. Two hours of teaching equal one hour of occupational experience.

3700.0430 RADIOLOGIC TECHNOLOGY.

Subpart 1. **May teach.** A teacher who has a radiologic technology license may teach in the radiologic technology program.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Occupational and educational experience requirement.** The applicant must:

A. have a two-year certificate, associate degree or above in radiologic technology;

B. be credentialed in radiography by the American Registry of Radiologic Technologists; and

C. have 6,000 hours of occupational experience as a certified radiographer in a medical setting.

Subp. 4. **Substitution for occupational recency.** The

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applicant may substitute teaching experience at a postsecondary institution in an accredited program of radiographic technology for 1,500 of the 2,000 hours required in part 3700.0400, subpart 2, if the teaching is done during the five-year period. The teaching must be in radiologic technology. Two hours of teaching equal one hour of occupational experience.

3700.0435 ATHLETIC TRAINING TECHNICIAN LICENSE.

Subpart 1. **May teach.** A teacher who has an athletic training technician license may teach in the athletic training technician program and may also teach courses in:

A. biomechanics;

B. exercise physiology;

C. sports injuries recognition, care, and management;

D. strength conditioning;

E. sports equipment fit, care, and use;

F. sports training, testing, and conditioning;

G. legalities of sports; and

H. sports rehabilitation techniques.

Subp. 2. **Other requirements.** An applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the health occupational area under part 3700.0400.

Subp. 3. **Educational and occupational experience requirements.** An applicant must have the experiences as described in items A, B, and C. The education must come from an accredited postsecondary institution.

A. Bachelor's or higher degree with a science major in health, sports, or exercise.

B. Athletic trainer certification obtained from the Athletic Trainers Association (N.A.T.A.).

C. 4,000 hours of occupational experience as an athletic trainer.

Subp. 4. **Substitution for recent occupational experience.** An applicant may substitute teaching experience at an accredited postsecondary institution in primary program content in athletic trainer, athletic medicine technology, or physical education for

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1,500 of the 2,000 hours required under part 3700.0100, subpart 2. Two hours of teaching equal one hour of the occupational experience required in part 3700.0400, subpart 2.

3700.0770 SURFACE FINISHING AND PLATING TECHNICIAN LICENSE.

Subpart 1. **May teach.** A teacher who has a surface finishing and plating technician license may teach in the surface finishing and plating technician program and may also teach courses in surface finishing and plating anywhere in the technical college system.

Subp. 2. **Other requirements.** An applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.

Subp. 3. **Occupational and educational experience requirements.** An applicant must have the educational and occupational experience as described in item A, B, or C. The education must be from an accredited postsecondary institution.

A. Bachelor's or higher degree with a major in chemistry, chemical engineering, electrochemistry, material science, or metallurgy; occupational experience of 4,000 hours in surface finishing and electroplating, including bath make-up and maintenance including wet analysis, surface finishing and plating processes and equipment, physical testing for quality control of product and process, and waste management for plating; and certification by the American Electroplating and Surface Finishing Society.

B. Two years of postsecondary education with a degree, diploma, or certificate in surface finishing and electroplating including 15 quarter credits in chemistry; occupational experience of 6,000 hours in surface finishing and electroplating, including bath make-up and maintenance including wet analysis, surface finishing and plating processes and equipment, physical testing for qualify control of product and process, and waste management for plating; and certification by the American Electroplating and Surface Finishing Society.

C. One year of postsecondary education including 15

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quarter credits of chemistry; occupational experience of 7,000 hours in surface finishing and electroplating, including bath make-up and maintenance including wet analysis, surface finishing and plating processes and equipment, physical testing for quality control of product and process, and waste management for plating; and certification by the American Electroplating and Surface Finishing Society.

Subp. 4. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution, industrial, or military setting may be substituted for 1,500 of the 2,000 hours required in part 3700.0700, subpart 2, if the teaching is in primary program content in surface finishing and electroplating technology. Two hours of teaching equal one hour of occupational experience.

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APPROVED AS TO LEGALITY

October 11, 1990

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Charlene H. Hatcher
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 12 1990

Joan Anderson Growe
Secretary of State

2:46 P.M.

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Boards

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Health Occupational

RULE REVIEW CHECKLIST

File No. 1739
DATE RECEIVED 9-28-90
REVIEW DATE 10-8-90
DUE DATE 10-12-90
(DIS)APPROVED 10-11-90
WITHDRAWN

Docket No. 05.0009.0831
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON 10-2-90
REVISOR (DIS)APPROVED
FILED W/SEC. OF STATE 10-12-90
RETURNED TO AGENCY 10-12-90

✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)
June 5, 1989 ✓ Date published in State Register
Comments June 5, 1989, ~~February 20, 1990~~ ~~October 9, 1989~~

Petition for Adoption of a Rule

Board's Authorizing Resolution
June 20, 1989 Date adopted

✓ Proposed Rule
✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
136C.04 subd 9 Statutory Authority
NA Small Business Statement
NA Expenditure of public money statement
6-28-90 Signature

✓ Statement of Need and Reasonableness (if applicable)
NA Small Business Statement
Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
July 11, 1990 Dated 30/25 days before adoption
Notice attached indicates it is attached
Copy of rule or summary attached

✓ Publication in State Register
July 16, 1990 Date 30/25 days before adoption

180-day deadline from:
✓ Effective date of law requiring rule (14.12) (both rules) ~~amendments don't apply~~ not mandatory
end of comment period (§ 14.26) (rules without hearing)
effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
Sept 10, 1990 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
Sept 11, 1990 Date

✓ Written Requests, Submissions or Comments

✓ Declaration of Attorney
Charles Mottl Name of SAAG representing agency

~~Notice of Submission to Attorney~~ General (if applicable)

~~Affidavit of Mailing Notice to Attorney~~ General (if applicable)

Office of the Revisor of Statutes
Administrative Rules

Paul M. Marinac
Assistant Deputy Revisor
296-0948



700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

August 10, 1990

AUG 15 1990

Ms. Georgia Pomroy
State Board of Vocational
Technical Education
First Floor, Capitol Square Bldg.
St. Paul, MN 55101

RE: File No. 1690

Dear Ms. Georgia Pomroy:

Enclosed are four copies of your rule with the modifications you requested.

Please submit the rules to the Attorney General or the Office of Administrative Hearings, as appropriate.

If you have any questions or need further modifications, please call me.

Very truly yours,

Paul M. Marinac