

1.1 Senator moves to amend the delete-everything amendment (SCS4410A-1)
1.2 to S.F. No. 4410 as follows:

1.3 Page 73, after line 21, insert:

1.4 "Section 1. Minnesota Statutes 2020, section 245C.02, is amended by adding a subdivision
1.5 to read:

1.6 Subd. 11f. **Healthcare worker platform.** "Healthcare worker platform" means any
1.7 person, firm, corporation, partnership, or association that maintains a system or technology
1.8 that provides a media or internet platform for a health care worker to be listed and identified
1.9 as available for hire as an independent contractor by health care facilities seeking health
1.10 care workers.

1.11 Sec. 2. Minnesota Statutes 2020, section 245C.02, subdivision 17a, is amended to read:

1.12 Subd. 17a. **Roster.** (a) "Roster" means the electronic method used to identify the entity
1.13 or entities required to conduct background studies under this chapter with which a background
1.14 subject is affiliated. There are three types of rosters: active roster, inactive roster, and master
1.15 roster.

1.16 (b) "Active roster" means the list of individuals specific to an entity who have been
1.17 determined eligible under this chapter to provide services for the entity and who the entity
1.18 has identified as affiliated. An individual shall remain on the entity's active roster and is
1.19 considered affiliated until the commissioner determines the individual is ineligible or the
1.20 entity removes the individual from the entity's active roster.

1.21 (c) "Inactive roster" means the list maintained by the commissioner of individuals who
1.22 are eligible under this chapter to provide services and are not on an active roster. Individuals
1.23 shall remain on the inactive roster for no more than 180 consecutive days, unless:

1.24 (1) the individual submits a written request to the commissioner requesting to remain
1.25 on the inactive roster for a longer period of time; or

1.26 (2) a healthcare worker platform initiated a background study on behalf of an individual,
1.27 in which case the individual shall remain on the inactive roster for one year.

1.28 Upon the commissioner's receipt of information that may cause an individual on the inactive
1.29 roster to be disqualified under this chapter, the commissioner shall remove the individual
1.30 from the inactive roster, and if the individual again seeks a position requiring a background
1.31 study, the individual shall be required to complete a new background study.

2.1 (d) "Master roster" means the list maintained by the commissioner of all individuals
2.2 who, as a result of a background study under this chapter, and regardless of affiliation with
2.3 an entity, are determined by the commissioner to be eligible to provide services for one or
2.4 more entities. The master roster includes all background study subjects on rosters under
2.5 paragraphs (b) and (c).

2.6 Sec. 3. Minnesota Statutes 2021 Supplement, section 245C.03, is amended by adding a
2.7 subdivision to read:

2.8 Subd. 17. **Healthcare worker platform.** The commissioner shall conduct background
2.9 studies according to this chapter when initiated by a healthcare worker platform on behalf
2.10 of an individual who is not on the master roster. A subject under this subdivision who is
2.11 not disqualified must be placed on the inactive roster.

2.12 Sec. 4. Minnesota Statutes 2020, section 245C.04, subdivision 4a, is amended to read:

2.13 Subd. 4a. **Agency background studies; electronic criminal case information updates;**
2.14 **rosters; and criteria for eliminating repeat background studies.** (a) The commissioner
2.15 shall develop and implement an electronic process as a part of NETStudy 2.0 for the regular
2.16 transfer of new criminal case information that is added to the Minnesota court information
2.17 system. The commissioner's system must include for review only information that relates
2.18 to individuals who are on the master roster.

2.19 (b) The commissioner shall develop and implement an online system as a part of
2.20 NETStudy 2.0 for agencies that initiate background studies under this chapter to access and
2.21 maintain records of background studies initiated by that agency. The system must show all
2.22 active background study subjects affiliated with that agency and the status of each individual's
2.23 background study. Each agency that initiates background studies must use this system to
2.24 notify the commissioner of discontinued affiliation for purposes of the processes required
2.25 under paragraph (a).

2.26 (c) After an entity initiating a background study has paid the applicable fee for the study
2.27 and has provided the individual with the privacy notice required under section 245C.05,
2.28 subdivision 2c, NETStudy 2.0 shall immediately inform the entity whether the individual
2.29 requires a background study or whether the individual is immediately eligible to provide
2.30 services based on a previous background study. If the individual is immediately eligible,
2.31 the entity initiating the background study shall be able to view the information previously
2.32 supplied by the individual who is the subject of a background study as required under section
2.33 245C.05, subdivision 1, including the individual's photograph taken at the time the

3.1 individual's fingerprints were recorded. The commissioner shall not provide any entity
3.2 initiating a subsequent background study with information regarding the other entities that
3.3 initiated background studies on the subject.

3.4 (d) Verification that an individual is eligible to provide services based on a previous
3.5 background study is dependent on the individual voluntarily providing the individual's
3.6 Social Security number to the commissioner at the time each background study is initiated.
3.7 When an individual does not provide the individual's Social Security number for the
3.8 background study, that study is not transferable and a repeat background study on that
3.9 individual is required if the individual seeks a position requiring a background study under
3.10 this chapter with another entity.

3.11 (e) Notwithstanding paragraphs (b) and (c), the commissioner must not provide a
3.12 healthcare worker platform that initiates a background study on an individual's behalf under
3.13 section 245C.03, subdivision 23, with access to any information regarding the subject other
3.14 than whether the individual is immediately eligible to provide services.

3.15 Sec. 5. Minnesota Statutes 2020, section 245C.04, is amended by adding a subdivision to
3.16 read:

3.17 Subd. 13. **Healthcare worker platform.** A healthcare worker platform that initiates a
3.18 background study on an individual's behalf under section 245C.03, subdivision 23, must
3.19 initiate the studies annually through NETstudy 2.0.

3.20 Sec. 6. Minnesota Statutes 2020, section 245C.10, is amended by adding a subdivision to
3.21 read:

3.22 Subd. 23. **Healthcare worker platform.** The commissioner shall recover the cost of
3.23 the background studies initiated by healthcare worker platforms under section 245C.03,
3.24 subdivision 17, through a fee of no more than \$42 per study charged to the individual. The
3.25 fees collected under this subdivision are appropriated to the commissioner for the purpose
3.26 of conducting background studies."

3.27 Renumber the sections in sequence and correct the internal references