

Senator Wiklund from the Committee on Health and Human Services, to which was referred

S.F. No. 4444: A bill for an act relating to health; requiring continued publication of the annual adverse health event report; prohibiting retaliation against patient care staff; providing for enforcement; amending Minnesota Statutes 2022, sections 144.05, subdivision 7; 144.7065, subdivision 8; 144.7067, subdivision 2; Minnesota Statutes 2023 Supplement, section 181.275, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, delete section 4

Page 4, after line 12, insert:

"Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Assignment" means the designation of nursing tasks or activities to be performed by another nurse or unlicensed assistive person.

(c) "Emergency" means a period when replacement staff are not able to report for duty for the next shift or increased patient need, because of unusual, unpredictable, or unforeseen circumstances such as, but not limited to, an act of terrorism, a disease outbreak, adverse weather conditions, or natural disasters which impact continuity of patient care.

(d) "Emergency medical condition" means a condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in placing the individual's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of bodily organs.

(e) "Facility" means:

(1) an acute care hospital licensed under sections 144.50 to 144.58; or

(2) any facility, regardless of the type of facility and regardless of the facility's license, where patient care staff employed by the state provide patient care.

(f) "Nurse" has the meaning given in section 148.171, subdivision 9, and includes nurses employed by the state of Minnesota.

(g) "Patient" means a patient of a facility.

(h) "Patient care staff" means a person in a nonsupervisory and nonmanagerial position who provides direct care; who provides supportive, rehabilitative, or therapeutic services

2.1 to patients; or who directly provides nursing care to patients more than 60 percent of the
2.2 time, but who is not:

2.3 (1) a licensed physician;

2.4 (2) a physician assistant licensed under chapter 147A; or

2.5 (3) an advanced practice registered nurse licensed under sections 148.171 to 148.285,
2.6 unless working as a registered nurse."

2.7 Page 4, line 13, delete "a" and delete "4" and insert "5"

2.8 Page 4, line 14, delete "2" and insert "3" and delete "health care"

2.9 Page 4, lines 18 and 20, delete "2" and insert "3"

2.10 Page 4, delete lines 24 and 25

2.11 Page 5, line 8, after "workers" insert "and must include contact information for all
2.12 individuals in the chain of command"

2.13 Page 5, line 22, delete "1" and insert "2"

2.14 Page 5, lines 27 and 28, delete "2" and insert "3"

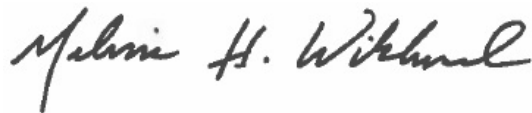
2.15 Page 6, lines 10, 11, and 12, delete "subdivision 2" and insert "subdivision 3"

2.16 Renumber the subdivisions and sections in sequence

2.17 Amend the title numbers accordingly

2.18 And when so amended the bill do pass and be re-referred to the Committee on Labor.

2.19 Amendments adopted. Report adopted.



2.20
2.21 (Committee Chair)

2.22 March 12, 2024.....
2.23 (Date of Committee recommendation)