

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 2990

(SENATE AUTHORS: WIKLUND)

DATE
03/27/2025

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1092 Introduction and first reading
B. f. 14. H. 1. H.

Referred to Health and Human Services

OFFICIAL STATUS

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 144.98, subdivision 8, is amended to read:

1.7 **Subd. 8. Exemption from national standards for quality control and personnel**
1.8 **requirements. Effective January 1, 2012,** A laboratory that analyzes samples for compliance
1.9 with a permit issued under section 115.03, subdivision 5, may request exemption from the
1.10 personnel requirements and specific quality control provisions for microbiology and
1.11 chemistry stated in the national standards as incorporated by reference in subdivision 2a.

1.12 The commissioner shall grant the exemption if the laboratory:

1.13 (1) complies with the methodology and quality control requirements, where available,
1.14 in the most recent, approved edition of the Standard Methods for the Examination of Water
1.15 and Wastewater as published by the Water Environment Federation; and

1.16 (2) supplies the name of the person meeting the requirements in section 115.73, or the
1.17 personnel requirements in the national standard pursuant to subdivision 2a.

1.18 A laboratory applying for this exemption shall not apply for simultaneous accreditation
1.19 under the national standard.

1.20 Sec. 2. Minnesota Statutes 2024, section 144.98, subdivision 9, is amended to read:

1.21 Subd. 9. **Exemption from national standards for proficiency testing frequency.** (a)
1.22 Effective January 1, 2012, A laboratory applying for or requesting accreditation under the

2.1 exemption in subdivision 8 must obtain an acceptable proficiency test result for each of the
2.2 laboratory's accredited or requested fields of testing. The laboratory must analyze proficiency
2.3 samples selected from one of two annual proficiency testing studies scheduled by the
2.4 commissioner.

2.5 (b) If a laboratory fails to successfully complete the first scheduled proficiency study,
2.6 the laboratory shall:

2.7 (1) obtain and analyze a supplemental test sample within 15 days of receiving the test
2.8 report for the initial failed attempt; and

2.9 (2) participate in the second annual study as scheduled by the commissioner.

2.10 (c) If a laboratory does not submit results or fails two consecutive proficiency samples,
2.11 the commissioner will revoke the laboratory's accreditation for the affected fields of testing.

2.12 (d) The commissioner may require a laboratory to analyze additional proficiency testing
2.13 samples beyond what is required in this subdivision if information available to the
2.14 commissioner indicates that the laboratory's analysis for the field of testing does not meet
2.15 the requirements for accreditation.

2.16 (e) The commissioner may collect from laboratories accredited under the exemption in
2.17 subdivision 8 any additional costs required to administer this subdivision and subdivision
2.18 8.