

2/25/91

STATE OF MINNESOTA

MINNESOTA TECHNICAL COLLEGE SYSTEM  
State Board of Technical Colleges  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101

OFFICE MEMORANDUM

**TO:** The Legislative Commission to Review Administrative Rules  
Maryanne Hruby, Director  
55 State Office Building  
St. Paul, MN 55155

**FROM:** Georgia Pomroy, License Revision Specialist

**DATE:** February 19, 1991

**PHONE:** 296-3929

**SUBJECT:** Rules for Publication, *State Register*  
February 25, 1991 - General Licensure Rules, Diagnostic Medical Sonographer, and Trade and Industrial Licenses

We have attached a SONAR for an Intent to Adopt rules 3515.0800, 3515.9921, 3700.0145, 3700.1415, General Licensure Rules; 3700.0440, Diagnostic Medical Sonographer; 3700.0750, 3700.0800, 3709.0120, 3709.0130, 3709.0140, 3709.0290, 3709.0300, 3709.0310, Trade and Industrial Licensure Rules; 3515.0900, 3515.1000, 3515.5500 Subpart 9, Repealer to be published in the *State Register* on Monday, February 25, 1991, in accordance with Minnesota Statutes, Sections 14.231 and 14.23.

Please contact me if you have any questions.

GP:lrv  
SONAR

Attachment

February 7, 1991

NEED AND REASONABLENESS

STATEMENT OF NEED AND REASONABLENESS FOR LICENSURE OF TECHNICAL  
COLLEGE PERSONNEL

GENERAL LICENSURE RULES

3515.0800 RENEWED REGULAR FIVE-YEAR TECHNICAL COLLEGE  
LICENSE  
3515.9921 POSTSECONDARY LICENSURE CHART, DISTRIBUTIVE  
EDUCATION, HEALTH EDUCATION, SERVICE, HOSPITALITY AND HOME  
ECONOMICS, INDUSTRIAL EDUCATION, TECHNICAL EDUCATION  
3700.0145 SUBSTITUTE LICENSE  
3700.1415 PART-TIME CONTINUOUS OCCUPATIONAL PROGRAM  
INSTRUCTOR LICENSE

NEW VENTURE PROGRAM

3700.0440 DIAGNOSTIC MEDICAL SONOGRAPHER

TRADE AND INDUSTRIAL LICENSES

3700.0750 PLASTIC COMPOSITES TECHNOLOGY  
3700.0800 LICENSES IN TRADE AND INDUSTRIAL AREA  
3709.0120 LOCKSMITHING TECHNICIAN  
3709.0130 SECURITY MANAGEMENT  
3709.0140 FIRE TECHNOLOGY AND ADMINISTRATION  
3709.0290 NEON AND SIGN FABRICATIONS  
3709.0300 DIESEL FUEL INJECTION SPECIALIST  
3709.0310 ELECTRONIC PUBLISHING INFORMATION SPECIALIST

The statutory authority for the technical college board to promulgate these rules is contained in Minnesota statutes section 136C.04, subd. 9 which states:

Licensure. The state board may adopt rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education. When necessary for continuous programs approved by the board and when the board determines that appropriate temporary standards do not exist, the state board may adopt appropriate temporary standards without regard to Chapter 14, and may issue temporary licenses to teaching and support personnel. A temporary license is valid up to one year and is not renewable, but a person holding a temporary license may, upon its expiration, be issued a license in accordance with standards adopted under Chapter 14. The state board may establish a processing fee for the issuance, renewal, or extension of a license.

The proposed rules follow the format established by previous revised licenses.

#### GENERAL LICENSURE RULES

##### 3515.0800 RENEWED FIVE YEAR TECHNICAL COLLEGE LICENSE

Subparts 1 and 2 are editorial changes only. "Vocational" is changed to the term now used of "technical college". The other change from "chairperson thereof" to "chair" is for the purpose of simplicity only. There are no significant changes in these parts.

Subp. 3. Consists of editorial modifications as a result of rule changes which are already effective. "Adult supplementary" now titled "part-time extension" and the addition of part-time continuous occupational, part-time continuous General Studies, and substitute license. Part-time General Studies is a new rule which became effective on November 27, 1989. Part-time licensure is not subject to 3515.2200 to 3515.3200. Therefore, the addition of part-time licensure to this subpart is for the purpose of clarification. There is no change in the intent of this rule.

Subp. 4. The Technical Colleges still issue licenses for programs which are no longer offered in the technical college system. However, there is no rule provision to remove these licenses from our inventory. It is the policy of the State Board to remove a program from inventory if that program has not been offered anywhere within the Technical College system within four years. It is reasonable therefore to remove the license from the corresponding program at this time. The licensure unit function includes processing license applications for use within our system to instruct in a particular program or content area. The possibility of a particular program returning to the inventory after four years is remote. This is necessary since if a program did return to our inventory, it would require a new program intent and include changes in the curriculum representing the changes which occurred in the field during the interim. It would therefore be reasonable to promulgate the appropriate rule when program approval occurred, thus recognizing the need for criteria which would be relevant to the new intent. This is a necessary rule change in order to clear up the confusion which arises when an applicant reviews the licensure code chart assuming that all the codes listed are available for licensure and for teaching a particular program.

3515.9921 POSTSECONDARY LICENSURE CHART, DISTRIBUTIVE EDUCATION, HEALTH EDUCATION, SERVICE, HOSPITALITY AND HOME ECONOMICS, INDUSTRIAL EDUCATION, TECHNICAL EDUCATION.

Subp. 3. Item A. The regulatory boards have been changed to represent the actual boards which now have jurisdiction over licenses for Cosmetology and Barbering. There is no intent to

change the license content, therefore this is a reasonable change.

Item B. "In the general program. 1,000 hours of retail experience, in the specialized program, 3,000 hours in the specialized area" is deleted since this is addressed on the licenses in marketing which were revised and became effective on July 2, 1990. Therefore, it is reasonable to remove this portion of subp. 3 which is no longer applicable.

Item E. Distributive education is the only occupational area of seven listed which is subject to separate coursework in pedagogical skills. In reality, it has been the policy of the board to allow such applicants to satisfy this requirement through the teacher education sequence taken by the remainder of technical college staff. Since the courses as listed for distributive education have such limited clientele it is impossible for the educational institutions to make them available at the time and in the quantity necessary for that limited group. It is necessary and reasonable therefore to allow applicants in this area the same opportunity for pedagogical content as is available for the college staff at large. In addition, the content is essentially the same as indicated by the acceptance of teacher educators of the standard teacher education sequence taken by all other staff. Coordination Techniques is also eliminated from this sequence since Coordination Techniques as an offering is delivered primarily with a secondary focus and is not readily available for applicants needing this content for relicensure.

#### 3700.0145 SUBSTITUTE LICENSE.

This license has been moved from the 3515 rule to the 3700 rule as have all revised licenses. There are three minor changes in this rule. The substitute license will no longer require the signature of the program advisory committee chairperson. Frequently a substitute is required as a short-term solution to a problem resulting from illness of the regular program instructor or as a result of a conflict due to meetings. It is therefore not possible to locate the committee chair to perform this task. The technical college administrator has always approved the substitute instructor and determined the appropriate qualifications for a specific program on a short-term basis. It is therefore reasonable to eliminate this step in the process as being cumbersome and frequently not possible. The substitute authorization will be given for five years rather than the current three. This license is used only within a limited time frame of the school year. The remuneration thus is limiting as well. Since this is a local decision and local responsibility it is reasonable to allow the authorization for five years to complement what is already in rule for other limited licensure areas. This will allow consistency in renewal dates. The final change involves the use of an extension license for substitution. On January 22, 1991, new revised extension licenses went into

effect. This revised license is no longer issued in the same categories used for continuous programs. The categories now listed are broad areas which contain a variety of content and no longer corresponds to full-time license endorsements. Individuals currently functioning under previously classified extension licenses which are of the same category which would allow for substitution may continue to use that license for program substitution until their date of renewal. This is a reasonable allowance so as not to create hardship or expense for the individual or the technical college. It is reasonable also to not allow this new revised license to be used in substitution since it lists only 27 broad areas rather than specific program categories.

3700.1415 PART-TIME CONTINUOUS OCCUPATIONAL PROGRAM INSTRUCTOR LICENSE.

The changes in this rule are for clarity only and editorial in nature. There is no substantive change in content.

#### NEW VENTURE PROGRAM

3700.0440 DIAGNOSTIC MEDICAL SONOGRAPHER

Diagnostic Medical Sonography Technology is a new venture program for which no appropriate license exists. An authorizing resolution was passed on May 8, 1990, and a Notice of Intent to Solicit Outside Opinion was published in the State Register on May 29, 1990. Information was sought and received from technical college board staff, health industry representation in radiography and sonography, technical college administration, curriculum personnel and program planning staff. The State Board of Technical Colleges staff then made the final rule recommendations.

#### SONOGRAPHY TECHNOLOGY INSTRUCTOR

Subpart 1. May teach. This subpart appraises interested parties of the authorization allowed by the holder of this credential. The authorizations listed are necessary to allow for appropriate assignment of technical college personnel, as well as for the flexibility needed in the restructured technical college system, which changed programs to courses and courses to credits. The authorizations are reasonable as a result of the required experiences described in subpart 3.

Subpart 2. Other requirements. This subpart references requirements currently in rule to which all applicants are subject. There are no changes in this subpart.

### Subpart 3. Occupational experience requirement.

A. This item requires registration as a diagnostic medical sonographer in abdominal and OB/Gyn sonography. This registration is through the American Registry of Diagnostic Medicine Sonographers. This is a requirement by the professional authority for instructors of an accredited sonography program. Therefore, it is a necessary and reasonable requirement. In addition, at this time medical diagnostic sonography is an emerging health field. There is not the availability of programs in sonography from which an educated instructional staff can be drawn. Sonographers get their educational background in a variety of areas ranging from sonography, nursing, radiography, other health sciences, nuclear medicine, or even a variety of independent subject matter taken over a period of years. The examination taken measures the understanding of basic concepts related to ultrasound physics and instrumentation so these concepts can be applied and deals with specific clinical applications in a framework of physics and instrumentation. Candidates are tested in a variety of categories in sonography. The concepts/phenomena, etc., is to explain the mathematical relationship called equations. They require an understanding of pertinent concepts and ask the candidate to apply his or her understanding of them. The abdominal and OB/Gyn test content is required since the program for which the instructors will be licensed has its major emphasis in abdominal and OB/Gyn sonography. The abdominal content outline covers anatomy, tumors, cysts, abnormal conditions, laboratory values, techniques, etc., of the various organs of the abdominal cavity. Quality assurance, artifacts, image recording, transducers, real time, and technique are also tested. The obstetrics and gynecology testing deals with the pelvic anatomy physiologies and anomalies located within the pelvic area. This exam also measures obstetrical anatomy pathology complications and assessments, as well as gynecological anatomy pathology assessment and complications. The exam tests various scanning techniques, as well as patient care and preparation for these techniques. The assumption, therefore, is that in order to pass the examination with a satisfactory grade, the applicant must have had a combination of educational experiences which would give him or her the content and knowledge base to successfully become registered. This is therefore a reasonable requirement.

B. 8000 hours of occupational experience as a registered diagnostic medical sonographer is required. A minimum of these 8000 hours must be in abdominal and OB/Gyn diagnostic medical sonography. The recency hours must include the abdominal and OB/Gyn medical diagnostic sonography because that is the major focus of the technical college program. It is reasonable to require 8000 hours of medical sonography due to the fact that this individual must be cognizant of the skills, attitudes and knowledge associated with the perspective student's employment. A total of 8000 occupational hours is required since there is not an adequate number of programs throughout the nation from which to draw individuals with formal education in diagnostic medical

sonography. Minnesota does not have at this time a medical sonography program with the exception of this new venture program which will be initiated in 1991. It is, therefore, necessary and reasonable to require the full experience be obtained in the occupation of sonography.

Subpart 4. Substitution for occupational experience. This subpart follows the format previously set by revised rules. There is no change in the format or in the ratio of substitutions.

A. A bachelor's or higher degree in sonography, radiography or nuclear medicine may be substituted. The technical content within these programs contains the majority of material that will be taught within the sonography program. Therefore this is a reasonable substitution.

B. A two-year certificate in sonography, radiography, nuclear medicine, or nursing may be substituted for 2000 hours. Sonography, radiology, and nuclear medicine contain the content which will be taught within this program and therefore is a reasonable substitution. Nursing does not contain specific sonography content but does contain anatomy, physiology, medical ethics, chemistry, physics, medical terminology, and other content which is taught within the sonography program. Therefore it is a reasonable substitution.

C. A one-year program in the above stated fields may be substituted for 1000 hours. The rationale is the same as for the associate degree.

D. Courses for credit or clock hours are allowed providing they are in the American Medical Association or American Osteopathic Association Category I content approved by the stated professional organizations of sonography. This is a reasonable substitution since a number of sonographers will come from independent study backgrounds. Due to the absence of formal educational programs in diagnostic medical sonography, many applicants are encouraged to pursue content offered by professional organizations until they reach a level appropriate for sitting for the registry exam. Therefore this is a reasonable substitution.

Subpart 5. Substitution for occupational recency. An applicant is allowed to substitute teaching experience in a sonography program accredited by the AMA Commission on Allied Health Education. This is a reasonable substitution since an individual who is teaching in a current diagnostic medical sonography program would be supervising students on clinicals within health care sites and would have state of the art knowledge regarding techniques and procedures in sonography technology. In addition, this instructor would have the benefit of working with advisory committees in the program of medical sonography. In order to utilize instructors from other educational systems this is a reasonable substitution. This

program will be funded using existing processes and will not have any fiscal impact.

#### 3700.0800 LICENSES IN THE TRADE AND INDUSTRIAL AREA

The licenses in this subpart are being transferred from a temporary rule number 3900 to the permanent rule numbers 3700. In order to be consistent, editorial changes have been made which are consistent with the 3700 rules. There have been no changes in the intent of these rules and the modifications are merely editorial in nature.

#### REPEALER.

Rules are repealed which conflict with the new and revised rules or duplicate the modified rules. Supplemental support staff/Technical Tutor is repealed. This is reasonable since Technical Tutor is not considered part of instructional staff. It is considered to be the position of a teacher aide. In addition, this rule does not contain identifiable criteria. It is therefore difficult to defend. It is reasonable to avoid hardship for individuals currently holding such license that they be able to retain this license as long as they remain employed in that position within their own district.

The above described rules will be implemented using current processes and will not have a fiscal impact.