



# Minnesota Board of Nursing: Complaint Resolution Process

Update to 2015 Evaluation Report

February 2018

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## Problems Identified

- **Too Long to Act on Serious Complaints.** The Minnesota Board of Nursing (MBN) rarely issued temporary suspensions to quickly remove nurses from practice when public safety was at risk. It issued only 11 temporary suspensions in fiscal years 2009 through 2014.
- **Limited Authority.** Statutes limited MBN's ability to interview nurses or others before holding "discipline conferences," creating delays in building sound cases. At times, MBN processed complaints against nurses who enrolled themselves in the Health Professionals Services Program (HPSP), an alternative-to-discipline monitoring program, without MBN's knowledge. This limited MBN's ability to investigate complaints against them.
- **Process Not Always Fair.** State law made almost all board actions against individual nurses public information indefinitely. Also, it did not permit MBN to grant emeritus status to some nurses who wanted to give up their right to practice but retain their license and title. Finally, MBN was, at times, inconsistent in its handling of low-level practice complaints against nurses.

## Changes Implemented

- **More Temporary Suspensions.** MBN significantly increased its use of temporary suspensions, and legislation was passed in 2016 to clarify its authority to do so.
- **Developed Sanction Guidelines.** MBN developed guidelines for reviewing complaints involving nurses with criminal convictions. It is currently working with other health-related licensing boards to develop a consistent approach regarding noncompliance with the Prescription Monitoring Program.
- **Improved Database.** To help increase effectiveness, the 2017 Legislature appropriated funds for MBN to replace its outdated discipline management information system.
- **Working More Closely with HPSP.** MBN and HPSP have been meeting regularly to develop policies to address various issues, such as when and how nurses participating in HPSP should be reported to the board. MBN has adopted a policy allowing HPSP to monitor nurses who have not complied with HPSP requirements until MBN can monitor them.

## Actions Needed

- **Give Staff Greater Authority.** The Legislature should expand MBN's investigatory authority and its ability to grant emeritus status. It should also allow MBN to make some disciplinary actions against certain nurses nonpublic information.