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**Minnesota
House of
Representatives**
Margaret Anderson Kelliher, Speaker

FOR IMMEDIATE RELEASE
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New Laws Effective Jan. 1, 2011

The following is a listing of selected new laws passed during the 2010 legislative session that take effect Jan. 1, 2011. The asterisk following the bill number denotes the language that became law. A complete summary of all laws passed by the 2010 Legislature is available online from the nonpartisan House Public Information Services Office. Go to www.house.mn/hinfo/Newlaws2010-0.asp.

CONSUMERS

Solving home warranty disputes

Homeowners have the right to make builders or contractors repair major damages that occur in their homes as the result of faulty workmanship performed within the last 10 years. But when a builder or contractor denies fault, resulting lawsuits can drag out for years and cost both sides thousands of dollars in legal fees.

A new law, sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Kathy Saltzman (DFL-Woodbury), establishes a dispute resolution process through the Department of Labor and Industry. Under the provision, the department will maintain a list of qualified “neutrals” who can evaluate home warranty claims before a lawsuit could be filed. The neutral will issue a nonbinding decision that could not be used as evidence in a court case.

The law also allows for alternative dispute resolution processes if agreed to by both sides. In addition, it clarifies a builder or contractor’s rights and obligations to inspect building defects and offer to make the necessary repairs.

HF3386*/SF2832/CH343

HEALTH AND HUMAN SERVICES

New certification requirements

To be certified by the state, rehabilitation counselors working with people who are sight-impaired will be required to complete certain training requirements. This includes:

- at least six weeks of intensive training at an adjustment-to-blindness center;
- any additional training requirements specified by State Services for the Blind; and
- any continuing education requirements specified by SSB.

These provisions are part of a broader law, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), requiring all public documents in the state to be stored in a format that is accessible to people with disabilities beginning Jan. 1, 2013.

HF737/SF1246*/CH271

Changes to child support regulations

Culled from Department of Human Services' recommendations, several changes will help track down people not paying their child support obligations.

Under the law, sponsored by Rep. Jeff Hayden (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), a public authority attempting to collect child support can request addresses, home and work telephone numbers, mobile telephone numbers and e-mail addresses from a payee. Previously, only a place of residence, employment status, wage and benefit information and a Social Security number had to be provided.

Additionally, a child support public authority will be permitted to administratively reassign basic support, medical support and child care support under certain conditions:

- if the child resides with the relative caregiver who has applied for public assistance on behalf of the child;
- the child has been placed with a new caregiver by a voluntary placement agreement between the custodial parent and the caregiver that was approved and is being monitored by county social service agencies; or
- the child has been placed with a new caregiver by the court and the child support issue was not addressed.

State law governing enforceability of judgments is changed to provide that child support judgments are enforceable 20 years after the entry of the judgment. This section applies retroactively to child support judgments that have not expired.

HF3299/SF2562*/CH238

Safety information on sharps disposal

Manufacturers of sharps and pharmaceutical companies that make drugs used in the sharps will have until July 1, 2011, to share required information on their websites about plans for proper disposal of sharps and lancets.

The plan must include a description of how the manufacturer will:

- provide for the safe collection and proper disposal of sharps;
- educate consumers about safe management and collection opportunities; and
- support efforts by other groups with interest in protecting public health and safety through the sale, collection and proper disposal of sharps.

A public health agency or clinic that participates in a needle exchange program must post on its website a plan that describes how the agency or clinic supports the safe collection and proper disposal of the sharps.

Rep. Paul Gardner (DFL-Shoreview) and Sen. Kathy Sheran (DFL-Mankato) sponsor the law.
HF1372/SF1323*/CH286

INSURANCE

Contracts between providers, plans

A new law modifying rules on contracts between health plan companies and providers also has implications for patients.

Sponsored by Rep. Erin Murphy (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law specifies that health plan companies may not prohibit providers from collecting deductibles and co-insurance from patients at or prior to the time of service. It also prohibits providers from withholding services from a health plan enrollee based on failure to pay within the same timeframe.

The law also modifies language related to claims adjustment timelines and the termination of a contract between a company and a provider. One provision prohibits companies from communicating with enrollees about the possible termination of a contract before receiving final notice from a provider.

HF3042/SF2700*/CH331

TRANSPORTATION

No blocking controlled intersections

While not cause for suspension or revocation of the violator's driver's license, those who block an intersection controlled by a traffic-control signal and impede movement of cross traffic could be subject to a ticket.

The new law does not apply to movement of a vehicle made:

- at the direction of a city-authorized traffic-control agent or a peace officer;
- to facilitate passage of an authorized emergency vehicle with its emergency lights activated; or
- to make a turn that allows the vehicle to safely leave the intersection.

This is part of the omnibus transportation law sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing).

Additionally, beginning in 2011, the Department of Transportation is to implement a policy with a goal of developing a balanced transportation system that takes into consideration all modes of transportation.

HF2807/SF2540*/CH351