

HOUSE RESEARCH

Bill Summary

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Overview

This bill makes health care administrative changes to conform with federal rules; modifies provisions licensing well and boring contractors to clarify the requirements for licensees and certified representatives; and updates death record filing and disposition permit issuance provisions to reflect new electronic procedures.

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- 1** **Uniform billing form CMS 1450.** Amends § 62J.51, subd. 17. Changes the term "uniform billing form HCFA 1450" to "uniform billing form CMS 1450" to conform with federal name changes. (The Health Care Financing Administration (HCFA) has changed its name to the Centers for Medicare and Medicaid Services (CMS).) Also provides that the definition includes any subsequent amendments to the form.
- 2** **Uniform billing form CMS 1500.** Amends § 62J.51, subd. 18. Changes the term "uniform billing form HCFA 1500" to "uniform billing form CMS 1500" to conform with federal name changes. Modifies the definition to mean the form developed by the National Uniform Claim Committee, and also provides that the definition includes any subsequent amendments to the form.
- 3** **Uniform billing form CMS 1450.** Amends § 62J.52, subd. 1. Makes conforming changes; replaces "uniform billing form HCFA 1450" with "uniform billing form CMS 1450."
- 4** **Uniform billing form CMS 1500.** Amends § 62J.52, subd. 2. Makes conforming changes; replaces "uniform billing form HCFA 1500" with "uniform billing form CMS 1500."

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- 5 **State and federal health care programs.** Amends § 62J.52, subd. 5. Makes conforming changes; replaces "uniform billing form HCFA 1450" with "uniform billing form CMS 1450 and "uniform billing form HCFA 1500" with "uniform billing form CMS 1500."
- 6 **Unique identification number for health care provider organizations.** Amends § 62J.54, subd. 1. Replaces the term "unique health identifier" with "national provider identifier" (NPI) to conform to federal rules. Updates requirements of health care provider organizations to obtain an NPI so that those ineligible under federal rules are no longer required to obtain an NPI. Also requires health care provider organizations to make their NPI available to other providers when required to be included in federally regulated transactions.
- 7 **Unique identification number for individual health care providers.** Amends § 62J.54, subd. 2. Replaces the term "unique health identifier" with "national provider identifier" (NPI) to conform to federal rules. Updates requirements of health care providers to obtain an NPI so that those ineligible under federal rules are no longer required to obtain an NPI. Also requires individual health care providers to make their NPI available to other providers when required to be included in federally regulated transactions.
- 8 **Effective date.** Amends § 62J.581, subd. 5. Changes the effective date of section 62J.581, subdivisions 1 and 2 (provisions dealing with standards for uniform health care reimbursement documents) from October 16, 2004 to June 30, 2007.

The effective date of this section is retroactive to October 16, 2004.

- 9 **Certified representative.** Amends § 103I.005, by adding subd. 2a. Defines "certified representative" as a person certified by the commissioner of health to represent a well contractor, limited well/boring contractor, monitoring well contractor, or elevator boring contractor.
- 10 **Dewatering well.** Amends § 103I.005, subd. 4a. Modifies the definition of "dewatering well" to exclude "an excavation" 25 feet or less in depth for temporary dewatering during construction. (Current law excludes a "well or dewatering well" 25 feet or less in depth for temporary dewatering during construction from the definition of a "dewatering well.")
- 11 **Elevator boring.** Amends § 103I.005, subd. 6. Modifies the definition of "elevator shaft" by changing the term to "elevator boring" and removing a reference to the term "shaft" in the definition.
- 12 **Elevator boring contractor.** Amends § 103I.005, subd. 7. Modifies the definition of "elevator shaft contractor" by changing the term to "elevator boring contractor" and removing a reference to the term "shaft" in the definition.
- 13 **Explorer.** Amends § 103I.005, subd. 10. Modifies the definition of "explorer" to mean a person with an explorer's license (current law defines an explorer as a person "who has the right to drill").
- 14 **Limited well/boring contractor.** Amends § 103I.005, subd. 12. Clarifies the definition of a "limited well/boring contractor" by providing a description of the activities for which a limited well/boring contractor license is issued.
- 15 **Water supply well.** Amends § 103I.005, by adding subd. 20a. Defines "water supply well" as a well that is not a dewatering or monitoring well and is used: for a portable water supply; for irrigation; for an agricultural, commercial, or industrial water supply; for heating or cooling; as a remedial well; and for testing water yield for irrigation, commercial or industrial uses, residential supply, or public water supply.
- 16 **Duties.** Amends § 103I.101, subd. 2. Clarifies the duties of the commissioner of health by

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adding "persons" to the actions the commissioner must license, and makes conforming changes (replacing the term "shaft" with "boring").

- 17 Commissioner to adopt rules.** Amends § 103I.101, subd. 5. Modifies rule adoption requirements related to well regulation.
- Clarifies the requirements of rules licensing persons constructing, repairing, and sealing unconventional wells by removing the term "unconventional" and limiting the requirements to persons constructing, repairing, and sealing "drive point wells" or dug wells;
 - Adds a requirement to adopt rules to license persons constructing, repairing, and sealing elevator borings;
 - Adds requirements that criteria and procedures be established regarding boring data and logs; and
 - Removes outdated language referring to rules adopted under chapter 156A.
- 18 Advisory council on wells and borings.** Amends § 103I.105. Modifies membership requirements of the 18-member Advisory Council on Wells and Borings as follows:
- makes changes so that one member must be a responsible individual for a licensed explorer (the requirements in current law are that the individual be a licensed exploratory borer);
 - makes changes so that one member must be a certified representative of a licensed elevator boring contractor (the requirements in current law are that the individual be a licensed elevator shaft contractor);
 - makes changes so that one member must be a certified representative of a monitoring well contractor (current law requires a monitoring well contractor);
 - makes changes so that six of the members must be certified representatives of licensed well contractors (current law requires that they be "actively engaged in the well drilling industry"); and
 - makes changes so that one member must be a certified representative of a licensed vertical heat exchanger contractor (current law requires a licensed vertical heat exchanger contractor or someone certified by the International Ground Source Heat Pump Association and appointed by the commissioner of health).
- 19 Delegation of duties of commissioner.** Amends § 103I.111, subd. 1. Makes conforming changes (replaces the term "shafts" with "borings").
- 20 Preemption unless delegation.** Amends § 103I.111, subd. 3. Makes conforming changes (replaces the term "shafts" with "borings").
- 21 Compliance with this chapter required.** Amends § 103I.115. Removes an outdated reference.
- 22 License required.** Amends § 103I.205, subd. 4. Clarifies persons exempt from licensing

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requirements.

Paragraph (b) changes the requirements of individuals constructing, repairing or sealing monitoring wells (current law states only constructing of monitoring wells) to be "licensed" (current law requires them to be registered) and removing exemptions for engineers registered with "the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design" and replacing it with "professional geoscientists licensed under sections 326.02 to 326.15."

Paragraph (d) adds an exemption for persons constructing, repairing, or sealing elevator borings who have an elevator boring contractor's license.

- 23 Report of work.** Amends § 103I.205, subd. 9. Adds an alternative for the commissioner of health for sending copies of reports to the commissioner of natural resources. Allows the commissioner of health to "otherwise provide access to" reports submitted by persons completing or sealing a well or boring.
- 24 Well notification fee.** Amends § 103I.208, subd. 1. Clarifies the type of wells subject to well notification fees by adding the terms "water supply" and "dewatering" where appropriate.
- 25 Permit fee.** Amends § 103I.208, subd. 2. Clarifies the type of wells subject to permit fees by adding the terms "water supply" and "dewatering" where appropriate.
- 26 Commissioner may order repairs.** Amends § 103I.231. Adds a missing reference to "boring."
- 27 Liability after sealing.** Amends § 103I.325, subd. 2. Provides liability protections for owners of borings (current law provides this only for well owners).
- 28 Expenditures.** Amends § 103I.345, subd. 2. Removes an outdated paragraph.
- 29 Elevator borings.** Amends § 103I.401. Makes conforming changes (replaces the term "shaft" with the term "boring").
- 30 Licensing and regulation of wells and borings.** Amends § 103I.501. Modifies the activities the commissioner of health must regulate and license by adding "repairing" elevator borings and repairing environmental bore holes. Also makes conforming changes (replaces the term "shaft" with the term "boring").
- 31 Reciprocity of licenses and registrations.** Amends § 103I.505. Makes conforming changes by replacing the term "shaft" with "boring" and adding the term registration.
- 32 Certification application.** Amends § 103I.525, subd. 1. Modifies the well contractor's license by changing the license to a certification and allowing certification as a representative of a well contractor.
- 33 Certification application fee.** Amends § 103I.525, subd. 2. Makes conforming changes so that the fee is for a certified representative of a well contractor license.
- 34 Issuance of certification.** Amends § 103I.525 by adding subd. 3a. Requires the commissioner of health to issue certifications to represent a well contractor to applicants who meet the experience requirements established in rule and pass an examination as determined by the commissioner.
- 35 Issuance of license.** Amends § 103I.525, subd. 4. Modifies the requirements needed for the issuance of a well contractor's license by requiring that a person "employ a certified representative" (to conform to the clarified licensing provisions in section 32).
- 36 Bond.** Amends § 103I.525, subd. 5. Clarifies what corporate surety bonds submitted by applicants for a well contractor's license must pay for and in what instances the

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commissioner of health may use the bonds, by adding specific language regarding the lack of compliance with chapter 103I or rules adopted under chapter 103I.

- 37 **Renewal.** Amends § 103I.525, subd. 8. Adds a fee for an individual well contractor license of \$75; makes conforming changes, and adds "water sample analysis" reports to the list of reports required by the commissioner at the time of license renewal.
- 38 **Certification application.** Amends § 103I.531, subd. 1. Modifies the limited well/boring contractor's license by changing the license to a certification and creating a "certified representative" of a limited well/boring contractor certification.
- 39 **Certification application fee.** Amends § 103I.531, subd. 2. Makes conforming changes so that the fee is for a certified representative of a limited well/boring contractor license.
- 40 **Issuance of certification.** Amends § 103I.531 by adding subd. 3a. Requires the commissioner of health to issue certifications to represent a limited well/boring contractor to applicants who meet the experience requirements established in rule and pass an examination as determined by the commissioner.
- 41 **Issuance of license.** Amends 103I.531, subd. 4. Modifies the requirements needed for the issuance of a limited well/boring contractor's license by requiring that a person "employ a certified representative" (to conform with licensing changes in section 38).
- 42 **Bond.** Amends § 103I.531, subd. 5. Clarifies what corporate surety bonds submitted by applicants for a limited well/boring contractor's license must pay for and in what instances the commissioner of health may use the bonds, by adding specific language regarding the lack of compliance with chapter 103I or rules adopted under chapter 103I.
- 43 **Renewal.** Amends § 103I.531, subd. 8. Makes conforming changes, and adds "water sample analysis" reports to the list of reports required by the commissioner at the time of license renewal.
- 44 **Certification application.** Amends § 103I.535, subd. 1. Modifies the elevator boring contractor's license by changing the license to a certification and allowing representatives of elevator boring contractors to be certified.
- 45 **Certification application fee.** Amends § 103I.535, subd. 2. Makes conforming changes so that the fee is for a certified representative of an elevator boring contractor license.
- 46 **Issuance of certification.** Amends § 103I.535 by adding subd. 3a. Requires the commissioner of health to issue certifications to represent an elevator boring contractor to applicants who meet the experience requirements established in rule and pass an examination as determined by the commissioner.
- 47 **Issuance of license.** Amends § 103I.535, subd. 4. Modifies the requirements needed for the issuance of an elevator boring contractor's license by requiring that a person "employ a certified representative" (to conform with licensing changes in section 44).
- 48 **Bond.** Amends § 103I.535, subd. 5. Clarifies what corporate surety bonds submitted by applicants for an elevator boring contractor's license must pay for and in what instances the commissioner of health may use the bonds, by adding specific language regarding the lack of compliance with chapter 103I or rules adopted under chapter 103I.
- 49 **Validity.** Amends § 103I.535, subd. 7. Makes conforming changes (replaces the term "shaft" with the term "boring").
- 50 **Renewal.** Amends § 103I.535, subd. 8. Makes conforming changes (replaces the term "shaft" with the term "boring" and adds "certified representative of").
- 51 **Incomplete or late renewal.** Amends § 103I.535, subd. 9. Makes conforming changes (replaces the term "shaft" with the term "boring").
- 52 **Monitoring well contractor's registration; representative's certification.** Amends §

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103I.541.

Subd. 1. Registration. Removes an outdated reference.

Subd. 2a. Certification application. Modifies the monitoring well contractor's license by changing the license to a certification and allowing representatives of monitoring contractors to be certified.

Subd. 2b. Issuance of registration. Makes conforming changes and establishes a registration process and fee of \$75 for a person to register as a monitoring well contractor. Adds that in order to register, a person must employ a "certified representative of a monitoring contractor." Also allows individual registration for a fee of \$75.

Subd. 2c. Certification application fee. Establishes a fee of \$75 for the certification as a certified representative of a monitoring well contractor and requires the commissioner to not act on the application until the fee is paid.

Subd. 2d. Examination. Requires applicants applying to be certified as a representative of a monitoring well contractor to take an examination given by the commissioner.

Subd. 2e. Issuance of certification. Requires the commissioner to issue a certification as representative of a monitoring well contractor to applicants who meet experience requirements established in rule and pass the examination as determined by the commissioner.

Subd. 3. Bond. Clarifies what bonds submitted by applicants for a monitoring well contractor's license must be issued to pay for and what instances the commissioner of health may use the bonds, by adding specific language regarding the lack of compliance with chapter 103I or rules adopted under chapter 103I.

Subd. 4. Renewal. Makes conforming changes.

53 **Hoist.** Amends § 103I.545, subd. 2. Changes the term "pump hoist" to "hoist" to clarify what machine an individual may not use without being licensed or registered under chapter 103I.

54 **Map of borings.** Amends § 103I.601, subd. 4. Adds a "7.5 minute series topographic map (1:24,000 scale)" prepared by the U.S. Geological Survey as an option for meeting the requirement to submit a county road map prior to exploratory boring.

55 **Sealing report.** Amends § 103I.601, subd. 9. Clarifies the contents of sealing reports required by explorers by adding that the average scintillometer reading of waste drill cuttings are for cuttings "from uranium or other radioactive mineral exploratory borings."

56 **When and where to file.** Amends § 144.221, subd. 1. Removes a local registrar or designated mortician from those that a death record may be filed with. (The change conforms to new, electronic, filing practices currently in place.)

57 **Certified birth or death record.** Amends § 144.225, subd. 7. Clarifies that a licensed mortician must furnish the registrar with the proper information in order for a certified death

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record to be issued. Removes the reference to section 144.214, subdivision 4, which is repealed in section 68 of this bill.

- 58 Permits required.** Amends § 149A.93, subd. 1. Removes transit permit process requirements to conform to new, electronic filing practices.
- 59 Transit permit.** Amends § 149A.93, subd. 2. Changes when a transit permit is required by broadening the requirement to apply "when legal and physical custody of the body is transferred." (Current law requires one when a body is moved within a registration district *and* when legal and physical custody of the body is transferred, it also requires one when a body is moved from a registration district, or removed from the county where the death occurred).
- 60 Disposition permit.** Amends § 149A.93, subd. 3. Removes the requirement to have a disposition permit when a body will be retained for more than five calendar days and makes changes to conform to new, electronic filing practices.
- 61 Possession permit.** Amends § 149A.93, subd. 4. Clarifies what permit is required until a body is delivered for final disposition by stating that it is the "disposition permit" and removes language to conform to new, electronic filing practices.
- 62 Death outside state; disposition permit.** Amends § 149A.93, subd. 5. Removes language that allows other states' disposition permits to authorize the transportation of bodies into or through Minnesota.
- 63 Permit required.** Amends § 149A.94, subd.3. Requires a disposition permit before the burial, entombment or cremation of a body. (Current law requires that a one be properly filed.) Also requires a transit permit for bodies transported out of the state (current law required a properly issued disposition permit).
- 64 Written authorization.** Amends § 149A.96, subd. 1. Clarifies that permits are required for the disinterment or reinterment of a body and makes changes to conform to new electronic filing practices.
- 65 Disinterment opposed.** Amends § 149A.96, subd. 4. Makes changes to the disinterment opposition process to conform to new electronic filing practices.
- 66 Filing of documentation of disinterment and reinterment.** Amends § 149A.96, subd. 7. Clarifies what permits are required to be kept by the cemetery where a body was originally kept (a disinterment and reinterment permit) in order to conform to the changes in section 64. Eliminates the requirement to forward photocopies of permits to the commissioner of health in order to conform to new electronic filing practices. Also requires the state registrar or a licensed mortician to notify a person requesting a disinterment and reinterment of the right to request an amendment to the death record.
- 67 Effective date.** Amends Laws 1998, ch. 316, sec. 4. Replaces the term "unique health identifier" with "national provider identifier" (NPI) and modifies the language to conform to federal rules.
- 68 Repealer.** Repeals sections 103I.005, subdivision 13; 103I.222; and 144.214, subdivision 4.
- § 103I.005 defines "limited well/boring sealing contractor;"
 - § 103I.222 contains outdated rule adoption provisions; and
 - § 144.214, subdivision 4, provides provisions that are no longer in use because of the new, electronic filing of death records.