



Supplemental Nursing Services Agency (SNSA) Regulatory Updates

Minnesota Department of Health (MDH) | Health Regulation Division

March 18, 2025, at 2:00 p.m. to 3:00 p.m.

- Statutory updates
- Penalty assessments
- Registration updates (initial, renewal and background study)
- Resources
- Frequently Asked Questions (FAQ)

Tennesen Warning

- **The Minnesota Department of Health is hosting this informational call to inform Supplemental Nurse Staffing Agencies of processes and updates.**
- **Your comments, questions and images, which may be private data, may be visible during this event.** You are not required to provide this data, and there are no consequences for declining to do so.
- **The informational call may be accessible to anyone who has a business or legal right to access it.** By participating, you are authorizing the data collected during this presentation to be maintained by the MDH.
- **To opt out of the presentation, please exit now.**

Welcome Supplemental Nursing Services Agency



- Attendees are muted.
- After the presentation is completed, you can submit comments or questions in the link provided about the presentation.
- <https://forms.office.com/g/72UKp7SJNq>

Meet Your MDH Team

- **Regulatory**

- Brenda Fischer, Federal Regional Operations Manager
- Jennifer Kolsrud, Federal Regional Operations Supervisor

- **Operations**

- Rick Michals, Executive Regional Operations Manager
- Shellae Dietrich, Federal Operations Manager
- Kia M. Moua, Federal Licensing, Certification and Registration (LCR) Supervisor
- Joanne Simon, Federal Enforcement Supervisor



Statutory Updates

Jennifer Kolsrud | Federal Regional Operations Supervisor

Brenda Fischer | Federal Regional Operations Manager

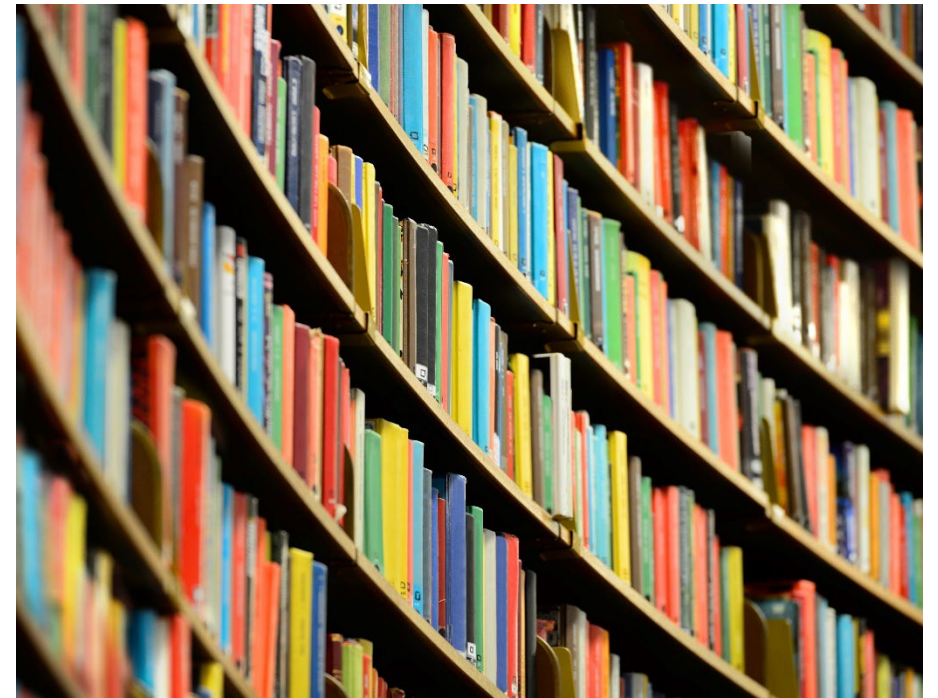
SNSA Statutes

Section	Section Title
<u>144A.70</u>	Registration of Supplemental Nursing Services Agencies
<u>144A.71</u>	Supplemental Nursing Services Agency Registration
<u>144A.715</u>	Penalties – NEW
<u>144A.72</u>	Registration Requirements; Penalties
<u>144A.73</u>	Complaint System
<u>144A.74</u>	Maximum Charges

Minnesota Statutes, section 144A.70 (*updated*)

Registration of Supplemental Nursing Services

- Subd. 3 – Controlling person
- Subd. 5 – Person
- Subd. 6 – Supplemental nursing services agency



- Subd. 3. **Controlling person.** “Controlling person” means a business entity or entities, officer, program administrator, or director, whose responsibilities include the management and decision-making authority to establish or control business policy and all other policies of a supplemental nursing services agency. Controlling person also means an individual who, directly or indirectly, beneficially owns an interest in a corporation, partnership, or other business association that is a controlling person.
- Subd. 5. **Person.** – removed “~~firm~~” and added limited liability company
- Subd. 6. **SNSA.** – removed “~~firm~~” and added limited liability company

Minnesota Statutes, section 144A.71 (*updated*)

Supplemental Nursing Services Agency Registration

- Subd. 2 (1)
- Subd. 2 (3, 4, 5, 6, 7, 8, 9, 10)
- Sec. 17 Renewal applications



MN Stat., section 144A.71 (cont. 3)

- Subd. 2~~(5)~~ (9) a policy and procedure that describes how the supplemental nursing services agency's records will be immediately available at all times to the commissioner; and
- Subd. 2~~(6)~~ (10) a nonrefundable registration fee of \$2,035.
- Subd. 2a. **Renewal applications.** An applicant for registration renewal must complete the registration application form supplied by the department. An application must be submitted at least 60 days before the expiration of the current registration.



Registration Updates

Kia M. Moua | Federal LCR Supervisor

Registration: Initial

- Updated initial application with checklist on website.
- Mail to MDH.
 - Complete, sign and date application.
 - Nonrefundable registration fee of \$2,035.
 - Supporting documents.

Supplemental Nursing Services Agency Registration Application

In accordance with [Minnesota Statutes, section 13.41](https://www.revisor.mn.gov/statutes/cite/13.41) (<https://www.revisor.mn.gov/statutes/cite/13.41>), all data submitted on this application shall be classified public information upon issuance of a license.

Answer all questions completely and accurately to avoid unnecessary delay. Mail the completed application, fee payment, and applicable supporting documents to Minnesota Department of Health (MDH) (see last page for mailing address).

Registration renewal notices will be sent to the email address on file to receive correspondences from MDH at least 90 days prior to the registration expiration date. Renewal registration applications should be submitted at least 30 days prior to the expiration date of the current registration via the [Minnesota Improved Customer Service Delivery](https://icsd.web.health.state.mn.us/security/login.do) (<https://icsd.web.health.state.mn.us/security/login.do>) system.

The undersigned hereby makes application to operate a supplemental nursing services agency (SNSA) subject to the provision of [Minnesota Statutes, section 144A.70](https://www.revisor.mn.gov/statutes/cite/144A.70) (<https://www.revisor.mn.gov/statutes/cite/144A.70>).

Keep a copy of the application and attachments for your records.


Registration: Renewal (1)

- Renewal notices sent from Improved Customer Service Delivery (ICSD) online system.
- 2 emails (username & password) sent at least 90 days from expiration date.
 - Application must be submitted at least 60 days prior to expiration date ([Minnesota Statutes, section 144A.71, subd. 2a](#)).

Login

You have reached the login page for the Minnesota Department of Health license or registration renewal portal. Please log in with the credentials you have been provided and proceed with the given instructions.

Status Message(s)

 Welcome to ICSD - Please enter your User ID and Password to proceed.

User ID

Password

This system is the property of the Minnesota Department of Health (MDH). Access to this service is for authorized personnel only. Use of this system without authority from MDH, or in excess of authority, may result in disciplinary action, civil and criminal sanctions and other appropriate action. Any activity on this system may be monitored or accessed by MDH or other authorized officials at any time. This includes any data created or stored using this system. All such data is subject to the Minnesota Government Data Practices Act. If you do not have the expressed authorization of the administrator, you must exit now or face the consequences of violating Chapter 13 of the Minnesota Statutes and other laws. Further, the State of Minnesota prohibits unauthorized access, disclosure, duplication, modification, diversion, destruction, loss, misuse, or theft of its information in accordance with the Minnesota Statutes §§ 609.87 - 609.891 and other laws.

Login Clear

Registration: Renewal (2)

- Complete application, upload supporting documents, sign, and pay the registration fee online or mail in check to MDH.
- Check should include:
 - Name of Facility
 - Facility's identification number



Registration: Supporting Documents (1)



- Print out of Active/Registered status with the Office of the Minnesota Secretary of State.
- Together with names and addresses of its officers and directors:
 - Corporation: Copies of articles of incorporation and current bylaws.
 - Limited Liability Company: articles of organization and operating agreement.

Registration: Supporting Documents (2)

- Medical Malpractice Insurance
- Employee Dishonesty Bond in the amount of \$10,000
- Workers' Compensation
- Documentation *filed* with the Commissioner of Revenue (Minnesota Tax ID), and
 - Name and address of bank, savings bank, or savings association.
 - Name and address of any nurse, nursing assistants, nurse aide, or orderly whose income is derived from placement by the agency, if the agency purports the income is not subject to withholding.

Registration: Supporting Documents (3)

- Policy and procedure of SNSA's records will be immediately available at all times.
- Brief description of the organization structure of the agency including a table of the organization and if applicable the relationship to any existing parent entity.
- **Renewals:** Invoice staffed to a health care facility *in Minnesota within the past 12 months* preceding the supplemental nursing services agency's registration renewal date ([Minnesota Statutes, section 144A.72, subd. 1 \(7\)\(b\)](#)).

Registration: Background Study

- Background Study clearance required for all **Controlling Persons**.
 - [Minnesota Statutes, section 144A.70, subd. 3](#)
- Onboard process with Minnesota Department of Human Services, NETStudy 2.0.
 - Create an account, submit application, pay required fees, submit fingerprinting (time sensitive).
 - Out-of-State Livescan Exception available.





Penalties

Penalties – new section

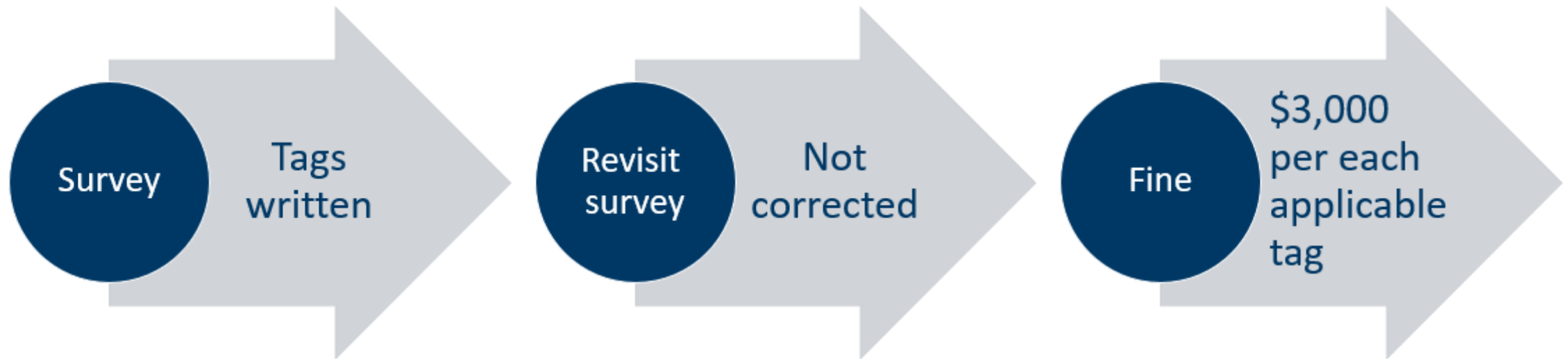
- Subd. 1. **Authority.** The fines imposed under this section are in accordance with section [144.653, subdivision 6](#).
- Subd. 2. **Fines.** Each violation of sections [144A.70](#) to [144A.74](#), not corrected at the time of a follow-up survey, is subject to a fine. A fine must be assessed according to the schedules established in the sections violated.
- Subd. 3. **Failure to correct.** If, upon a subsequent follow-up survey after a fine has been imposed under subdivision 2, a violation is still not corrected, another fine shall be assessed. The fine shall be double the amount of the previous fine.
- Subd. 4. **Payment of fines.** Payment of fines is due 15 business days from the registrant's receipt of notice of the fine from the department.

MN Stat., section 144A.72, subd. 1

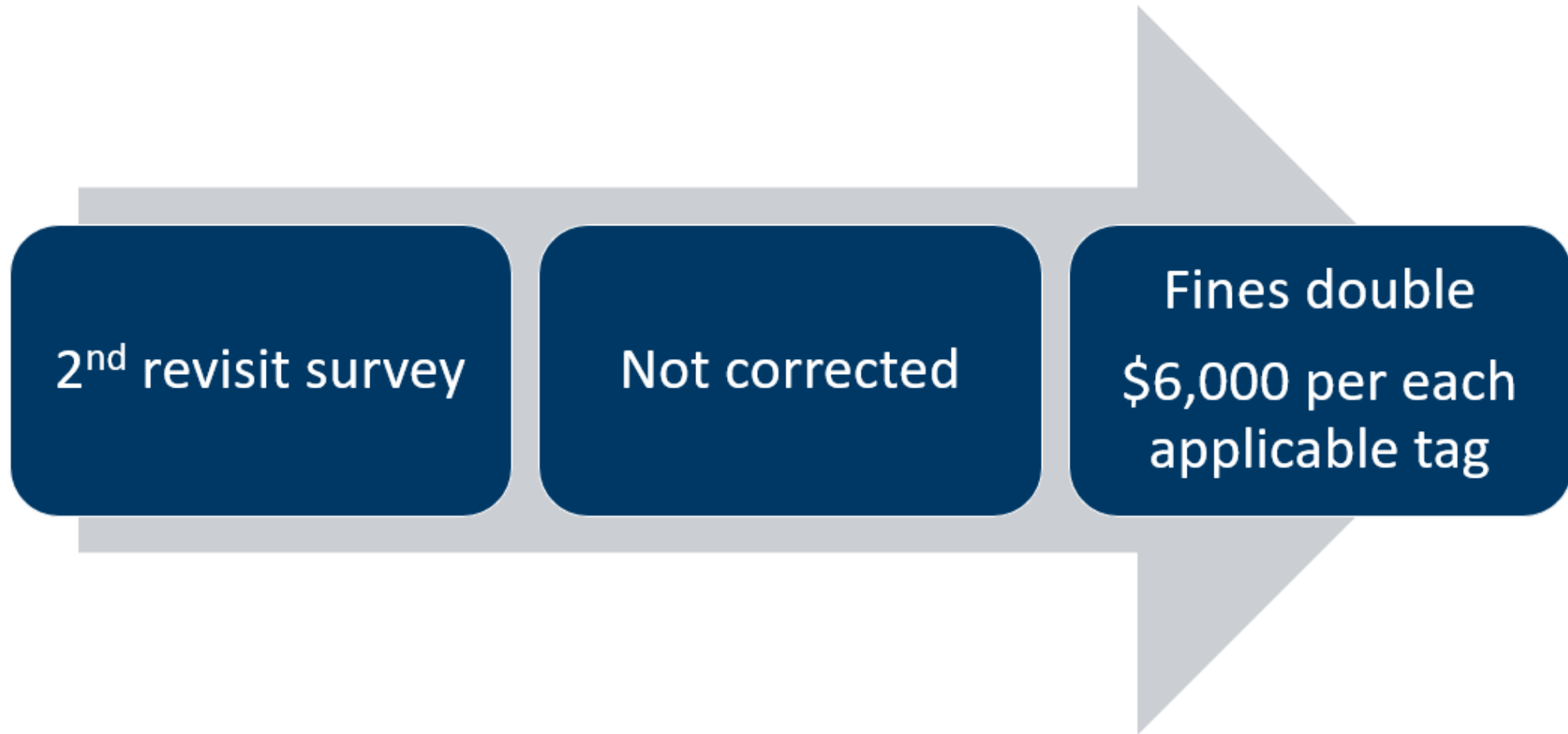
New penalties, fines added to specific statutes: 144A.72, subd.1

- Clause (2) the supplemental nursing services agency shall document that each temporary employee provided to health care facilities currently meets the minimum licensing, training, and continuing education standards for the position in which the employee will be working and verifies competency for the position. A supplemental nursing services agency that violates this clause may be subject to a fine of \$3,000;
- Clause (4) the supplemental nursing services agency must not restrict in any manner the employment opportunities of its employees. A supplemental nursing services agency that violates this clause may be subject to a fine of \$3,000;
- Clause (5) the supplemental nursing services agency must not, in any contract with any employee or health care facility, require the payment of liquidated damages, employment fees, or other compensation should be employee be hired as permanent employee of a health care facility. A supplemental nursing services agency that violates this clause may be subject to a fine of \$3,000;

What does this mean, New Penalties?



What does this mean, New Penalties? *(cont.)*



MN Stat., section 144A.72, subd. 2

Penalties – No changes

- Subd. 2. **Penalties.** Failure to comply with this section shall subject the supplemental nursing services agency to revocation or nonrenewal of its registration. Violations of section [144A.74](#) are subject to a fine equal to 200 percent of the amount billed or received in excess of the maximum permitted under that section.

MN Stat., section 144A.74 – Maximum Charges

No changes

- A supplemental nursing services agency must not bill or receive payments from a nursing home licensed under this chapter at rate higher than 150 percent of the sum of the weighted average wage rate, plus a factor determined by the commissioner to incorporate payroll taxes as defined in section [256.02, subdivision 37](#), for the applicable employee classification for the geographic group specified in section [256R.23](#), subdivision 4. The weighted average wage rates must be determined by the commissioner of human services and reported to the commissioner of health on an annual basis. Wages are defined as hourly rate of pay and shift differential, including weekend shift differential and overtime. Facilities shall provide information necessary to determine weighted average wage rates to the commissioner of human services in a format requested by the commissioner. The maximum rate must include all charges for administrative fees, contract fees, or other special charges in addition to the hourly rates for the temporary nursing pool personnel supplied to a nursing home. A nursing home that pays for the actual travel and housing costs for supplemental nursing services agency staff working at the facility and that pays these costs to the employee, the agency, or another vendor, is not violating the limitation on charges described in this section.



Complaint System

Minnesota Statutes, section 144A.73

144A.73 – Complaint System

No changes

The commissioner shall establish a system for reporting complaints against a supplemental nursing services agency or its employees. Complaints may be made by any member of the public. Complaints against a supplemental nursing services agency shall be investigated by the commissioner of health under sections [144A.51](#) to [144A.53](#).

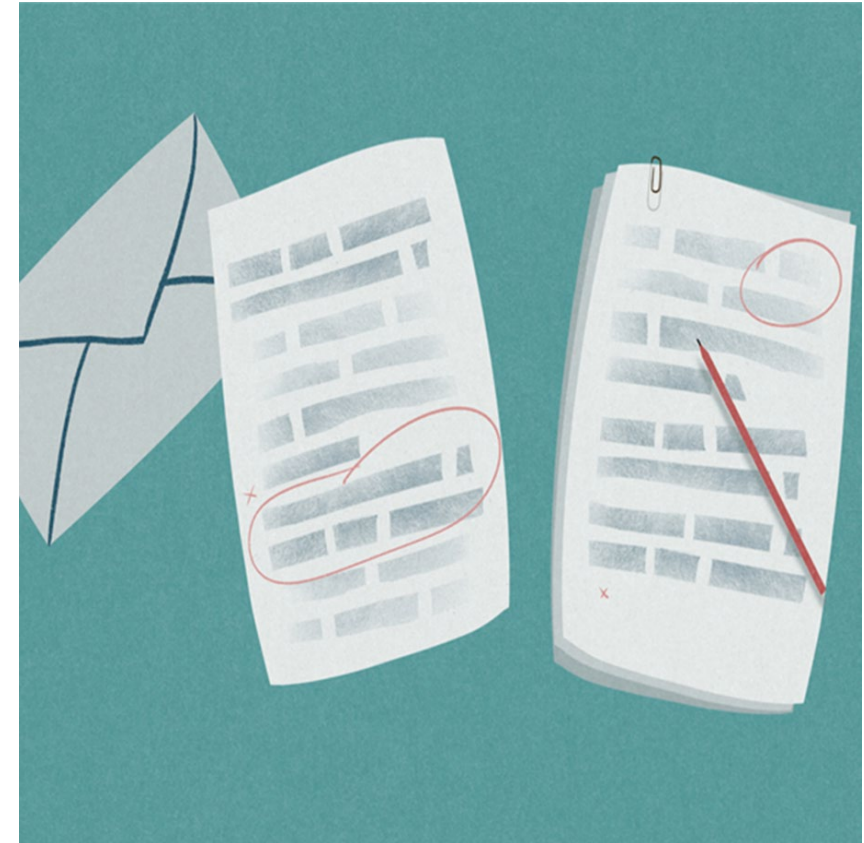


Enforcement

Joanne Simon | Federal Enforcement Supervisor

Enforcement: Survey

- After a survey is completed, Federal Enforcement team emails the following:
 - Initial letter indicating survey results
 - State Form that includes statutes that have been issued
- Please read, sign and return the first page of the State Form within 14 days.



Example of Penalty Assessment Letter



Enforcement: Follow-up Surveys

- Email communication to provider:
 - Second letter addressing if statute(s) have been corrected.
 - If not corrected, letter will include the uncorrected statutes and any fines that have been imposed.
- If statutes are reissued, please read, sign and return the first page of the State Form within 14 days.





SNSA Resources and Frequently Asked Questions

- Supplemental Nursing Services Agency (<https://www.health.state.mn.us/facilities/regulation/snsa/index.html>) website.
- Supplemental Nursing Services Agency Frequently Asked Questions (<https://www.health.state.mn.us/facilities/regulation/snsa/faq.html>).
- Registration of Supplemental Nursing Services Agencies: Minnesota Statutes, section [144A.70](#) to [144A.74](#).
- Background Studies on Licensees and Other Personnel: [Minnesota Statutes, section 144.057, subd. 1\(a\)\(5\)](#).
- Minnesota Department of Human Services, [NETStudy 2.0 FAQs](#).

- ✓ New Statutory updates, occurred July 1, 2024.
- ✓ New penalty assessments and how they work.
- ✓ Registration updates: initials, renewals and background study.
- ✓ Enforcement requirements.
- ✓ Enforcement letters.
- ✓ SNSA updated website and resources.
- ✓ Frequently Asked Questions (FAQ).

Stay Connected

- ✓ Review MDH website for additional updates and webinar opportunities.
- ✓ Stay tune for webinar recording and slide deck to be posted on the website.



Have a question or comment about today's webinar?
Please submit your responses in the feedback form by
11:59 p.m. March 25.

Link: <https://forms.office.com/g/72UKp7SJNq>

Thank You!

Health Regulation Division

Registration inquiries or Questions:

Health.HRD-FEDLCR@state.mn.us

651-201-4200