

5/28/91

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, ^{VP} License Revision Specialist

DATE: May 22, 1991

PHONE: 296-3929

SUBJECT: Rules for Publication, *State Register*

We have attached a SONAR for an Intent to Adopt rules 3700.0296 Golf Facilities Management, 3700.0298 Aquaculture, 3700.0450 Medical Record Technology, 3700.0768 Geographic Information Systems/Automated Cartography, 3700.0845 Safety and Health Administration to be published in the *State Register* on Tuesday, May 28, 1991, in accordance with Minnesota Statutes, Sections 14.231 and 14.23.

Please contact me if you have any questions.

GP:lrw
SONAR.GAM

Attachment

The Legislative Commission to
Review Administrative Rules

MAY 23 1991



NEED AND REASONABLENESS

- 3700.0296 Golf Facilities Management
- 3700.0835 Safety and Health Administration
- 3700.0298 Aquaculture
- 3700.0768 Geographic Information Systems/Automated Cartography
- 3700.0450 Medical Records Technology

The statutory authority for the State Board of Technical Colleges 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 appropriate temporary standards do not exist, the 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.

BACKGROUND INFORMATION

The technical college board is in the process of revising existing licensure rules and developing instructor licenses for new programs when an appropriate standard does not exist.

Golf Facilities Management, Safety and Health Administration, Aquaculture, and Geographic Information Systems/Automated Cartography represent new venture programs. Medical Records Technology is revision of an existing license.

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

Each individual rule had its own subcommittee consisting of State Board of Technical Colleges staff, technical college administrators, and licensed instructors and representatives from business and industry. Other individuals may be involved dependent upon the rule being promulgated as in the case of health areas, professional credentialing representation. Each rule is also reviewed by a licensure committee representing the State Board of Technical Colleges prior to the Board's resolution to adopt the rule.

The general format for the rules are as follows:

Subpart 1. May teach. Lists programs and courses which license holder may teach.

Subp. 2. Other requirements. Refers to the other requirements an applicant must meet for licensure as referred to above.

Subp. 3. Occupational and educational experience requirement. Specifies education required and number of hours and specific occupational areas acceptable for instructor licensure in the specific occupational program.

Subp. 4. Substitution for recent occupational experience. Identifies relevant current teaching experience which can substitute for a portion of the recency requirement.

3700.0296 GOLF FACILITIES MANAGEMENT

Golf Facilities Management is a new venture program for which there is no appropriate license. The license follows the format established by previously revised postsecondary technical college licenses.

Subpart 1. May teach. This subpart restricts the license holder to Golf Facilities Management program and content. This authority is reasonable by virtue of the occupational experience required in subp. 3.

Subp. 2. Other requirements. This subp. refers to initial, renewal and recency requirements in current rule. There are no changes in the subpart.

Subp. 3. Occupational experience requirement. Appraises the applicant of experiences required to obtain this license. The emphasis is on management level experience since this is the focus of the program. The majority of this experience including recency must be in a public facility. The financial activities differ in a public facility since the transactions are on a cash, not credit basis. Membership is open and unlimited, unlike private clubs. A public facility must keep all the activities within its function whereas private facilities contract out many operations such as food service, pro shop, building maintenance, etc. Due to the difference in scope and depth of responsibility between public and private facilities, it is reasonable to require the majority of experience in the public area. The activities listed encompass these management operations. It is reasonable to require only five of the ten activities to allow for regional differences in golf course club activity since, for example, a course may not have a pro shop or may find it economical to contract out an activity such as building maintenance.

The activities are also reasonable due to flexibility of verifying five of a list of ten

allowing for individual facility differences. 30,000 rounds of golf assures that a course is adequate in size to maintain the level of activity necessary for the breadth of experience to teach this program. In a year of excessive cold or rain, "a bad year", a metropolitan area course would experience a minimum of 40,000 rounds, therefore this is reasonable.

Subp. 4. Substitution for occupational experience. The educational substitutions allowed are in management or administration only. These substitutions are chosen for the content in principles of management, financial planning, personnel relations, accounting, business law, and customer service. These are reasonable substitutions since they are a part of this occupation and part of this program.

Subp. 5. Substitution for recent occupational experience. The only teaching experience allowed is in Golf Facility Management. It is reasonable to assume an individual teaching would have access to current knowledge and information by virtue of on site visits, advisory committees and student work supervision.

3700.0835 SAFETY AND HEALTH ADMINISTRATION INSTRUCTOR LICENSURE

Safety and Health Administration is a new venture program for which there is no appropriate license. This license follows the format established by previously revised postsecondary technical college licenses.

Subpart 1. May teach. This subpart appraises interested parties of the authorization allowed by the holder of this credential. The authorization allowed is for Safety and Health Administration program and content in Mine Safety and Health Administration (MSHA). MSHA courses are a portion of that content within the Safety and Health Administration program. It is therefore a reasonable crossover from the broader and larger concept of Safety and Health Administration program, Associate of Applied Sciences. The crossover courses which are allowed are specific to industrial safety only. These authorizations are appropriate given the educational and/or occupational experiences of subp. 4 which will be addressed later in this statement of need and reasonableness.

Subp. 2. Other requirements. This subpart appraises the applicant of the requirements which must be met by all technical college instructors currently in rule. There are no changes in this subpart.

Subp. 3. Does not apply. This subpart indicates to the applicant an area that does not apply to this particular license, specifically 2000 hours of recent occupational experience in the last five years. The recency in this license area is decreased to 500 hours as listed in subp. 5 under recent experience. The rationale for this decrease will be addressed in that subpart.

Subp. 4. Educational and/or occupational experience. The first requirement of this subpart is that an applicant be an MSHA approved instructor. Federal regulations require all MSHA instructors to carry an instructor card. Since MSHA can be taught full-time by this instructor and because the content from MSHA is also taught within the Safety and Health Administration program, it is reasonable to require an instructor to hold this card. The rationale for holding this card is due to the fact it is a federal regulation that anyone teaching in an MSHA program must hold this card, thus allowing the federal government to keep an inventory of instructional staff. Authority comes from Sections 101 and 115 (A), (B), (C), of the Federal Mine Safety and Health Act of 1977, Pub. L. 91-173 as amended by Pub. L. 95-164, 91 Statute 1291, 1315-1360 Programs 30 U.S.C. 811, 825 (A), (B), and (C). Instructors are approved by the Office of Education and Training, MSHA in one or more of the following ways:

1. An instructor training course conducted by the Office of Education and Training, MSHA, or given by persons designated by such office to give such instruction.
2. Designated by MSHA as approved instructors based on written evidence of instruction qualifications and teaching experience.
3. Designated by MSHA as approved instructors based on the performance of said instructors while teaching classes monitored by MSHA and designated by the chief of the training center.

A. A baccalaureate or higher degree in industrial safety or industrial hygiene is an appropriate educational experience due to the specific content of both of these programs. Within these programs content is offered in the areas of industrial hygiene, injury prevention and safety, occupational health and occupational medicine. Degrees in these areas correlate directly with content offered within this program. The areas of study that center on industrial hygiene, injury prevention and safety, including occupational health will transfer to the content offered within this program. Option A then requires 2000 hours of maintenance, service or production process in industrial experience where an employee is exposed to industrial hazards and the employer maintains and implements a safety and health standard or program. The intent of this occupational experience was to have work of a nature in which the person interacts with machines and the physical environment to perform tasks that conceivably could expose this individual to the risk of an accident or an occupational disease. The intent is to allow an individual with knowledge of safety and health standards by virtue of exposure as an employee in safe job procedures, hazardous materials, material handling, machinery and hand tools, and safety and health standards of that particular agency to be licensed. Experience is reduced to 2000 hours because of the difficulty in obtaining individuals for employment whose total job responsibility has been in industrial safety. Since the applicable degrees had as their primary focus industrial health and safety, it was felt that requiring 2000 hours of experience in such an environment requiring such procedures would be a realistic amount of time.

B. Allows a baccalaureate degree in engineering, public health, industrial

psychology, industrial technology, and management supervision or two years postsecondary education in industrial safety. The two years of postsecondary education in industrial safety is relevant for the same reasons outlined in item A. Since it is less number of years, 4000 hours of the occupational experience as described is required.

The engineering degrees and industrial technology degrees were selected because of their knowledge of materials and sources of power for human use. The basic engineering education includes inspection and quality control for mechanical devices. This design and development of products and processes important to a technological society which would assist the engineer to understand and appreciate industrial safety, experience, and hazards.

A degree in public health was selected because of its content in environmental health. That is, the role of environmental factors in injury and disease control. This would be the current emphasis on health and wellness allowing for an employee to better have intervention points and strategies to prevent industrial accidents. This degree was not given the weight of industrial safety or industrial hygiene since much of the content deals with the public at large such as epidemiology and general public health issues such as vaccinations, communicable and chronic diseases, chemical dependency, mental health, and measurement of community health status. Sufficient content, however, deals with safety as it pertains to industrial hazards and a safe environment.

Industrial psychology was selected for its content which involves human machine interaction, the cybernetic model of human machine communications, and analysis of factors that limit, impede or endanger performance. Content also within that program includes the capacities and limitations of humans in person machine interactions which would include attention and perception, for instance. All of these impacting on the safety of an industrial environment. Again, this degree was given less weight than industrial safety or industrial hygiene because it is only a portion of the content which is applicable. The experiences in option B remain the same as the experiences in option A. Additional 2000 hours of experience is included due to the more limited content within the degrees. Option B also included two years of postsecondary education in industrial safety and 4000 hours. In this instance, two years was allowed since that concentration is specifically in the field to be taught.

Degrees in management and supervision were selected because of their study of dynamics and challenges of working with and through people in manufacturing. Courses would include operations management and general management. Production and operations management courses involve the transformation of inputs into outputs but deals also with the manufacturing and service portion design analysis and control of productive systems. It includes the utilization of human resources and the proper application of these individuals. Management and supervisory content would include risk management and the insurance as a result of these risks. While initially it is concluded that risk management might deal with investment, it also includes life and health of the employee. Areas such as property and liability insurance, life and health insurance all deal with safety in the work place and liability. Therefore it was concluded that a

portion of this content would relate to industrial safety. Again, this degree is given less weight than content in option A for the reasons explained previously.

C. Recognizes the validity of one-year programs available in industrial health safety. Again the content is specific to the program being taught. Due to the decrease in education, however, it is reasonable to increase the occupational experience described in the other items.

D. Recognizes that many of the individuals working in a health and safety environment would have received their education by virtue of credit courses offered by such accrediting bodies as OSHA (Occupational Safety and Health Administration), MSHA (Mine Safety and Health Administration), and NIOSH (National Institute of Occupational Safety and Health). Courses offered by industry such as DuPont, Caterpillar, and National Safety Council courses also would meet the requirements of OSHA, MSHA, and NIOSH. These are accepted as appropriate content. The increase in occupational hours is equivalent to that required of one year of postsecondary education. However, the required work experience is considered more relevant since it must be as an administrator or instructor/trainer specifically in safety and health rather than an employee exposed to such programs. Therefore this is a reasonable ratio.

Subp. 5. Recent experience. The recency is decreased to 500 hours within five years of application. This program is 30 credits in length which is considerably less than most of the continuous programs offered in the technical college system. In addition, past experience has proven that it is very difficult to obtain individuals with clear and precise occupational safety experience. For this reason, it was reasonable and necessary to decrease the recent occupational experience to that of previous 3515 rules in order to accommodate obtaining instructors.

3700.0298 AQUACULTURE

Subpart 1. May Teach. This subpart restricts the license holder to teaching aquaculture content. This is reasonable due to the experiences detailed in subpart 3.

Subp. 2. Other requirements. This subpart refers to initial, renewal and recency requirements in current rule. There are no changes in this subpart.

Subp. 3. Educational and occupational experience requirements. The applicant has a choice of two separate educational experiences to obtain this license.

A bachelor's degree, associate degree, or two-year diploma in aquaculture, fisheries or material resources are reasonable educational experiences due to their content in water chemistry, biology, fisheries, aquatic plant life and hatcheries all represented in coursework in this program.

Specific experiences are listed in an environment of aquaculture or fish farm to

assure the depth and breadth of experience required to teach the program. An applicant may obtain this license through occupational experience only. Many individuals with other educational experiences not in this occupational area are in this field. Since the degree content does not apply to this program, it is reasonable to allow these individuals an opportunity through increased number of hours in the occupation an opportunity to obtain this license.

The ratio of hours and education has been established by previously revised licenses and there is no change in this ratio.

Subp. 4. Substitution for recent occupational experience. This subpart follows the format set by previously revised licenses. It is reasonable to assume an applicant teaching aquaculture would have up to date information as a result of clinical site experiences and advisory committees.

3700.0768 GEOGRAPHIC INFORMATION SYSTEMS/AUTOMATED CARTOGRAPHY

Subpart 1. May teach. This subpart appraises the license holder of teaching authorization. It is reasonable to allow this individual authorization in geographic information as a result of the experiences described in subpart 3.

Subp. 2. Other requirements. This subpart refers to initial, renewal and recency requirements in current rule. There are no changes in this subpart.

Subp. 3. Occupational experience requirement. 1000 hours of computer aided drafting or analyzing geographic information systems is required without allowance of a substitution. This is a reasonable requirement since these are the tools used to create and develop the legal descriptions of geographic information and constitute the majority of this program. At least one additional experience specific to geographic mapping must be documented to assure an applicant has experience beyond drafting, but rather the field work which precedes the actual draft itself. Since geographic information systems as a technology is only approximately six years old, it is necessary to be broad enough in the criteria to assure a pool of prospective instructors.

Subp. 4. Substitution for occupational experience. The educational substitutions allowed were determined by their content in computer hardware/configurations, drafting, programming, mapping geography, surveying, or environmental studies. All of these are components within this program and are therefore reasonable substitutions. In addition, due to the recency of this technology there is not an available group of academic majors specific to the field.

Subp. 5. Substitution for recent occupational experience. Substitution is allowed up to 1000 hours as a result of exposure to on site clinical experiences, visits, and advisory committees. The 1000 hours of computer aided drafting and design or analyzing

data models and manipulation of data using geographic information systems may not be substituted. Since geographic systems mapping is a relatively new venture, current experience in this area is necessary to assure familiarity with the process, thus it is reasonable to require this specific experience.

3700.0450 MEDICAL RECORDS TECHNOLOGY

Subpart 1. May teach. This subpart indicates to the applicant the teaching authorization allowed with this license. Given the requirements of subpart 3, it is reasonable to assume an applicant would have this knowledge.

Subp. 2. Other requirements. This subpart refers to initial, renewal and recency requirements in current rule. There are no changes in this subpart.

Subp. 3. Occupational experience requirement. Experience as a medical records administrator is reasonable because administrators have over all responsibility for patient records and information. These individuals design the health information systems, plan, organize, and evaluate medical record indices, work with research projects requiring medical information, third party payer reimbursement information and develop methods for evaluating patient care. This individual must know the job of the technician in detail.

This program trains medical record technicians, thus it is reasonable to allow this experience as appropriate to licensure as well. A technician is responsible for organizing, analyzing and evaluating medical records according to established standards, compiling various administrative and health statistics, special registries, and storage and retrieval systems, transcribing medical reports, entering and retrieving computerized health data, and controlling the usage and release of information. On the basis of these activities, it is reasonable to assume both of these positions have the breadth and depth to teach this program.

Subp. 4. Substitution for occupational experience. The only substitution allowed is education in medical record technology. This is a reasonable substitution since the content is directly applicable to the medical record technician program. The ratio is the same as previously revised licenses. There is no change in this ratio.

Subp. 5. Substitution for recent occupational experience. Teaching experience is allowed as a substitution for 1500 of the 2000 hours of recency. Clinical site visit and advisory committees require up to date knowledge of medical records and is therefore reasonable. In addition, the applicant is still required to have 500 hours of current experience. This follows the format of previously revised licenses.

These rules will be implemented using current processes and will not have a fiscal impact.