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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5321

04/08/2024 Authored by Joy, McDonald and Engen
The bill was read for the first time and referred to the Committee on Labor and Industry Finance and Policy

1.1 A bill for an act
1.2 relating to labor and industry; regulating online continuing education; amending
1.3 Minnesota Statutes 2022, section 326B.098, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 326B.098, is amended by adding a subdivision
1.6 to read:

1.7 Subd. 5. Internet continuing education. (a) The design and delivery of an Internet
1.8 continuing education course offered by the department must be approved by the International
1.9 Distance Education Certification Center or the International Association for Continuing
1.10 Education and Training.

1.11 (b) An Internet continuing education course offered by the department must:

1.12 (1) specify the minimum computer system requirements;

1.13 (2) provide encryption that ensures that all personal information, including the student's
1.14 name, address, and credit card number, cannot be read as it passes across the Internet;

1.15 (3) include technology to guarantee seat time;

1.16 (4) include a high level of interactivity;

1.17 (5) include graphics that reinforce the content;

1.18 (6) include the ability for the student to contact an instructor or course sponsor within
1.19 a reasonable amount of time;

1.20 (7) include the ability for the student to get technical support within a reasonable amount
1.21 of time;

2.1 (8) include a statement that the student's information will not be sold or distributed to
2.2 any third party without prior written consent of the student. Taking the course does not
2.3 constitute consent;

2.4 (9) be available 24 hours a day, seven days a week, excluding minimal downtime for
2.5 updating and administration, except that this provision does not apply to live courses taught
2.6 by an actual instructor and delivered over the Internet;

2.7 (10) provide viewing access to the online course at all times to the commissioner,
2.8 excluding minimal downtime for updating and administration;

2.9 (11) include a process to authenticate the student's identity;

2.10 (12) inform the student how long after its purchase a course will be accessible;

2.11 (13) inform the student that license education credit will not be awarded for taking the
2.12 course after it loses its status as an approved course;

2.13 (14) provide clear instructions on how to navigate through the course;

2.14 (15) provide automatic bookmarking at any point in the course;

2.15 (16) provide questions after each unit or chapter that must be answered before the student
2.16 can proceed to the next unit or chapter;

2.17 (17) include a reinforcement response when a quiz question is answered correctly;

2.18 (18) include a response when a quiz question is answered incorrectly;

2.19 (19) include a final examination in which the student must correctly answer 70 percent
2.20 of the questions;

2.21 (20) allow the student to go back and review any unit at any time, except during the final
2.22 examination;

2.23 (21) provide a course evaluation at the end of the course. At a minimum, the evaluation
2.24 must ask the student to report any difficulties caused by the online education delivery
2.25 method; and

2.26 (22) provide a completion certificate when the course and exam have been completed
2.27 and the provider has verified the completion. Electronic certificates are sufficient and shall
2.28 include the name of the provider; date and location of the course; educational program
2.29 identification that was provided by the department; hours of instruction or continuing
2.30 education hours; and licensee's or attendee's name and license, certification, or registration
2.31 number or the last four digits of the licensee's or attendee's Social Security number.

- 3.1 (c) The final examination must be either an encrypted online examination or a paper
- 3.2 examination that is monitored by a proctor who certifies that the student took the examination.