

135Q.3 Health care technology platform requirements — registration — liability.

1. *a.* A health care technology platform operating in the state shall register annually with the department and pay an annual registration fee of five hundred dollars to the department. The department shall issue each health care technology platform a certificate of registration upon approval of registration and payment of the fee. The annual registration fees shall be retained by the department as appropriated receipts as defined in [section 8.2](#).

b. A health care technology platform that fails to register with the department as required under [this subsection](#) shall be prohibited from contracting with any health care entity in this state.

c. A health care technology platform that allows independent nursing services professionals to utilize the platform to bid on open shifts is an authorized agency for purposes of access to the single contact repository. A health care technology platform shall rerun background checks for an independent nursing services professional following two consecutive years of inactivity on the platform by the independent nursing services professional.

2. A health care technology platform shall verify that an independent nursing services professional utilizing the platform does all of the following:

a. Supplies documentation demonstrating that the independent nursing services professional meets all applicable state requirements and qualifications of personnel in a health care entity setting.

b. Meets all applicable minimum state licensing and certification requirements.

c. Maintains professional liability insurance coverage with the minimum per occurrence coverage of one million dollars and aggregate coverage of three million dollars to insure against loss, damage, or expense incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in the provision of services by the independent nursing services professional.

3. *a.* A health care technology platform shall not do any of the following:

(1) Restrict in any manner the employment opportunities of an independent nursing services professional by including a noncompete clause in any contract with an independent nursing services professional or health care entity.

(2) In any contract with an independent nursing services professional or health care entity, require payment of liquidated damages, employment fees, or other compensation if the independent nursing services professional is subsequently hired as a permanent employee or is engaged directly as a contractor of the health care entity.

b. Any contract that violates this subsection shall be unenforceable in court.

4. The department shall establish a system for members of the public to report complaints against a health care technology platform or an independent nursing services professional. The department shall investigate any complaint received and shall report the department's findings to the complaining party and the health care technology platform involved.

[2024 Acts, ch 1157, §65, 68; 2024 Acts, ch 1185, §84](#)

Referred to in [§135Q.4](#)

NEW section