

## **Use of Data Collected by the MBFTE on the Firefighter Licensing Application Form**

The data you furnish on and with the Application for a Minnesota Firefighter License will be used by the Minnesota Board of Firefighters Training and Education (MBFTE) to assess your qualifications for licensure. You are not legally required to provide all of this data; however, if you fail to do so, the MBFTE may be unable to process the license application for which the data is required. Disclosure of your Social Security number is required by Minn. Stat. § 270C.72 and 42 U.S.C. 666(a)(13). Your Social Security number may be requested by and released to the Minnesota Commissioner of Revenue.

Until licensure is granted, the information in the application is private data, accessible only to you, the Minnesota Board of Firefighters Training and Education, its agents, and/or agents of the Attorney General's Office representing the Minnesota Board of Firefighters Training and Education. This file becomes public record if licensure is granted, except that your Social Security number and home address remain private, subject to disclosure requirements as follows:

### **Minn. § Stat. 270C.72 - TAX CLEARANCE; ISSUANCE OF LICENSES**

#### **Subd. 4. Licensing authority; duties.**

All licensing authorities must require the applicant to provide the applicant's Social Security number and Minnesota business identification number on all license applications. Upon request of the commissioner, the licensing authority must provide the commissioner with a list of all applicants, including the name, address, business name and address, Social Security number, and business identification number of each applicant. The commissioner may request from a licensing authority a list of the applicants no more than once each calendar year.

**The disclosure of licensing data by the MBFTE is governed by Minn. § Stat 13.41, which provides:**

#### **13.41 LICENSING DATA.**

##### **Subdivision 1. Definition.**

As used in this section "licensing agency" means any board, department or agency of this state which is given the statutory authority to issue professional or other types of licenses, except the various agencies primarily administered by the commissioner of human services. Data pertaining to persons or agencies licensed or registered under authority of the commissioner of human services shall be administered pursuant to section 13.46.

**Subd. 2. Private data; designated addresses and telephone numbers.**

(a) The following data collected, created or maintained by any licensing agency are classified as private, pursuant to section 13.02, subdivision 12: data, other than their names and designated addresses, submitted by applicants for licenses; the identity of complainants who have made reports concerning licensees or applicants which appear in inactive complaint data unless the complainant consents to the disclosure; the nature or content of unsubstantiated complaints when the information is not maintained in anticipation of legal action; the identity of patients whose medical records are received by any health licensing agency for purposes of review or in anticipation of a contested matter; inactive investigative data relating to violations of statutes or rules; and the record of any disciplinary proceeding except as limited by subdivision 5.

(b) An applicant for a license shall designate on the application a residence or business address and telephone number at which the applicant can be contacted in connection with the license application. A licensee shall designate a residence or business address and telephone number at which the licensee can be contacted in connection with the license. By designating an address under this paragraph other than a residence address, the applicant or licensee consents to accept personal service of process by service on the licensing agency for legal or administrative proceedings. The licensing agency shall mail a copy of the documents to the applicant or licensee at the last known residence address.

**Subd. 4. Confidential data.**

The following data collected, created or maintained by any licensing agency are classified as confidential, pursuant to section 13.02, subdivision 3: active investigative data relating to the investigation of complaints against any licensee.

**Subd. 5. Public data.**

Licensing agency minutes, application data on licensees except nondesignated addresses, orders for hearing, findings of fact, conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action are classified as public, pursuant to section 13.02, subdivision 15. The entire record concerning the disciplinary proceeding is public data pursuant to section 13.02, subdivision 15, in those instances where there is a public hearing concerning the disciplinary action. If the licensee and the licensing agency agree to resolve a complaint without a hearing, the agreement and the specific reasons for the agreement are public data. The license numbers, the license status, and continuing education records issued or maintained by the Board of Peace Officer Standards and Training are classified as public data, pursuant to section 13.02, subdivision 15.

**Subd. 6. Releasing data.**

Any licensing agency may make any data classified as private or confidential pursuant to this section accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

**Minn. Stat. § 13.04 - RIGHTS OF SUBJECTS OF DATA**

**Subd. 2. Tennesen warning.**

An individual asked to supply private or confidential data concerning the individual shall be informed of: (a) the purpose and intended use of the requested data within the collecting government entity; (b) whether the individual may refuse or is legally required to supply the requested data; (c) any known consequence arising from supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 7, to a law enforcement officer.