

House Research Act Summary

CHAPTER: 217

SESSION: 2012 Regular Session

TOPIC: Radiation Therapy Facilities Construction Moratorium

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Analyst: Emily Cleveland, 651.296.5808

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Overview

This act modifies the moratorium on construction of radiation therapy facilities in the metropolitan area.

- 1 Radiation therapy facility construction.** Amends § 144.5509. (a) No change.
 - (b) Provides an exception to the existing moratorium on construction of radiation therapy facilities in the metropolitan area by stating the moratorium does not apply, as of January 1, 2013, to relocation of a machine from Maplewood to Woodbury.
 - (c) Establishes new criteria for construction of radiation therapy facilities in the 14-county metro area that will be effective upon expiration of the existing restriction and moratorium, August 1, 2014. Provides that an entity constructing the radiation therapy facility must be controlled by or under common control of a hospital and must be located at least seven miles from an existing radiation therapy facility.
 - (d) Requires referring physicians in the 14-county metro area to provide patients with a list of all radiation therapy facilities located in the area. Requires physicians with a financial interest in a radiation therapy facility to disclose that to patients.
 - (e) Provides a definition of the phrases "controlled by" and "under common control with."
 - (f) Provides a definition of the phrase "financial interest in any radiation therapy facility."
 - (g) Provides that the limitations and conditions established under this section do not apply to relocation or reconstruction of existing radiation therapy facilities if ownership of the facility remains unchanged; the relocation or reconstruction is within one mile of an existing facility; and the time period between closing the existing facility and opening the relocated or reconstructed facility is 12 months or less.
- 2 Study of radiation therapy facilities capacity.** Requires the commissioner of health to study issues

related to treatment capacity and current and projected need for services related to radiation therapy facilities. Permits the commissioner to contract for the study, and requires that it be completed and submitted to the legislature by March 15, 2013.

- 3** **Appropriation.** Appropriates \$137,000 from the health care access fund for the study in section 2. Provides that if this appropriation is enacted more than once in the 2012 legislative session, it must be implemented only once.