HOUSE RESEARCH

Bill Summary

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Authors: Hamilton and others

Subject: Radiation Therapy Facilities Moratorium Changes

Analyst: Emily Cleveland, 651.296.5808

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1 **Radiation therapy facility construction.** Amends § 144.5509. (a) Provides that the existing restriction on construction of radiation therapy facilities, which limits construction to entities owned, operated, or controlled by a hospital, expires August 1, 2014.

(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 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 to provide patients with a list of all radiation therapy facilities located in the 14-county metropolitan 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, within available appropriations, 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.