

**Subject** Hospital closure, curtailment of operations, relocating or ceasing to offer certain services

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## Overview

Under current law, a hospital or hospital campus must provide notice to the commissioner of health and the public before it voluntarily closes, curtails operations, relocates, or stops offering certain services, and the commissioner of health must hold a public hearing. This bill modifies the time frames within which notice must be provided and the hearing must be held, modifies who must receive notice and the content of the notice, modifies hearing requirements, and modifies penalties for violations. It also requires the controlling persons of a hospital or hospital campus to offer to sell the hospital or hospital campus to a local unit of government where the hospital or hospital campus is located, before selling it to any other person.

## Summary

Section	Description
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| 1 | <p><b>Notice of closing, curtailing operations, relocating services, or ceasing to offer certain services; hospitals.</b></p> <p>Amends § 144.555, subd. 1a. Changes the time frame within which a hospital or hospital campus must notify the commissioner of health and others before it voluntarily closes, curtails operations, relocates services, or stops offering certain services, from 120 days to 182 days. Requires the notice to comply with the requirements in a new subdivision 1d.</p>                   |
| 2 | <p><b>Public hearing.</b></p> <p>Amends § 144.555, subd. 1b. Changes the time frame within which the commissioner must hold a public hearing on the scheduled cessation, curtailment, or relocation, from 45 days after receiving notice from the hospital to 30 days after receiving notice. Requires the hearing to be held at a location within ten miles of the hospital or hospital campus and at a location arranged by the hospital or hospital campus, and requires video conferencing technology to be used.</p> |

Section	Description
3	<p><b>Methods of providing notice; content of notice.</b></p> <p>Adds subd. 1d to § 144.555. Requires a hospital or hospital campus to provide notice to the public, local units of government, and personnel of the affected unit, hospital, or hospital campus of its proposed closure, cessation, or curtailment, by the listed methods. Lists information the notice must include.</p>
4	<p><b>Penalty; facilities other than hospitals.</b></p> <p>Amends § 144.555, subd. 2. Makes a change to conform with the penalties for hospitals that violate section 144.555 being moved to a new subdivision 3.</p>
5	<p><b>Penalties; hospitals.</b></p> <p>Adds subd. 3 to § 144.555. Allows the commissioner to issue a correction order if a hospital or hospital campus fails to participate in a public hearing or fails to notify the commissioner (this is current law and is being moved from subdivision 2). Requires the commissioner to impose on the controlling persons of a hospital or hospital campus, a fine of \$20,000 for each failure to provide notice to the public, a government entity, or affected personnel of the hospital or hospital campus in the manner required under subdivision 1d. Provides the commissioner is not required to issue a correction order before imposing this fine, and provides a person on whom a penalty is imposed has a right to a hearing.</p>
6	<p><b>Right of first refusal; sale of hospital or hospital campus.</b></p> <p>Adds § 144.556. Before a hospital or hospital campus may be sold or offered for sale, requires the controlling persons to first make a good faith offer to sell or convey the hospital or hospital campus to a local unit of government where the hospital or hospital campus is located at a price which is not above its fair market value. Requires the party to whom the offer is made to accept or decline the offer within 60 days of receipt, and if the party to whom the offer is made fails to respond within 60 days, provides the offer is deemed declined.</p>



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