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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5359

04/11/2024 Authored by Koegel, Stephenson, Bierman, Smith and Feist
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; establishing a moratorium on hospital and hospital campus
1.3 cessations in operations, curtailments of operations, relocations of health services,
1.4 and cessations in offering certain health services.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. MORATORIUM ON HOSPITAL OR HOSPITAL CAMPUS CLOSURES
1.7 OR CHANGES IN OPERATIONS.

1.8 (a) For purposes of this section, "hospital" means an acute care institution licensed under
1.9 Minnesota Statutes, sections 144.50 to 144.58.

1.10 (b) Notwithstanding any law to the contrary, from the effective date of this section
1.11 through June 30, 2025, a hospital or hospital campus is prohibited from:

1.12 (1) ceasing operations;

1.13 (2) curtailing operations to the extent that patients must be relocated;

1.14 (3) relocating the provision of health services to another hospital or another hospital
1.15 campus;

1.16 (4) ceasing to offer maternity care and newborn care services, intensive care unit services,
1.17 inpatient mental health services, or inpatient substance use disorder treatment services; or

1.18 (5) implementing an action listed in clauses (1) to (4) for which notice was provided to
1.19 the commissioner of health and the public under Minnesota Statutes, section 144.555, before
1.20 the effective date of this section.

2.1 (c) While this section is in effect, the controlling persons of a hospital or hospital campus
2.2 that plans to implement an action listed in paragraph (b) after June 30, 2025, must provide
2.3 notice of the planned action in the form and manner required in Minnesota Statutes, section
2.4 144.555.

2.5 (d) Paragraph (b) does not apply:

2.6 (1) if the hospital ceases operations due to insolvency of the corporation in accordance
2.7 with Minnesota Statutes, chapter 317A, or if insolvency proceedings are commenced under
2.8 Minnesota Statutes, chapter 60B; or

2.9 (2) if the cessation in or curtailment of operations, relocation of health services, or
2.10 cessation in offering certain health services is necessary, as determined by the commissioner
2.11 of health, because of a fire, tornado, flood, storm damage, or other similar disaster.

2.12 (e) Paragraph (b), clause (5), does not apply to the extent its application would impair
2.13 or affect the obligations in a preexisting contract.

2.14 (f) Notwithstanding any law to the contrary, the commissioner of health must enforce
2.15 this section using the powers and authority in Minnesota Statutes, section 144.653.

2.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.