

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2388

(SENATE AUTHORS: ABELER, Hoffman and Draheim)

DATE
03/02/2023

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; establishing the right of hospitalized patients to receive treatment
1.3 from their own doctors; proposing coding for new law in Minnesota Statutes,
1.4 chapter 144.

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

1.6 Section 1. [144.6511] RIGHT OF HOSPITALIZED PATIENTS TO RECEIVE
1.7 TREATMENT FROM THEIR OWN DOCTORS.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.9 the meanings given them.

1.10 (b) "Authorized to treat" means the authority of licensed physicians and other licensed
1.11 health care practitioners to write orders, prescribe medication and other treatments, order
1.12 consultations, and discharge the patient among other treatment modalities.

1.13 (c) "Current relationship" means a period in the last five years that the patient was treated
1.14 by or communicated with the licensed physician or other licensed health care practitioner.

1.15 (d) "Disciplinary action" means any action taken by a health-related licensing board
1.16 against a licensee, including but not limited to revocation, limitation, suspension, or denial
1.17 of a license or any other disciplinary action taken by a health-related licensing board against
1.18 the licensee for unprofessional conduct.

1.19 (e) "Hospital privileges" means the authority given by hospitals to licensed physicians
1.20 and other licensed health care practitioners to admit and treat hospitalized patients.

2.1 Subd. 2. General provisions. (a) Patients have a right to be admitted to a hospital and
2.2 treated during hospitalization by the licensed physician or other licensed health care
2.3 practitioner with whom they have a current relationship.

2.4 (b) At the request of a hospitalized patient, or if the patient is unable to make the request,
2.5 at the request of the spouse of the patient, a parent of the patient, the patient's guardian, or
2.6 the patient's power of attorney, a licensed physician or other licensed health care practitioner
2.7 with whom the patient has a current relationship is authorized to treat the patient.

2.8 (c) A physician licensed by this state's licensing board may not face disciplinary action
2.9 solely for treating a patient with whom they have a current relationship in a hospital where
2.10 they do not have hospital privileges.

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