

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

S.F. No. 3299

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DATE
04/25/2023

D-PG

Introduction and first reading
Referred to Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to human services; establishing coverage of extracorporeal membrane
1.3 oxygenation cannulation as an outpatient service; amending Minnesota Statutes
1.4 2022, section 256B.0625, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2022, section 256B.0625, subdivision 4, is amended to read:

1.7 Subd. 4. **Outpatient and physician-directed clinic services.** (a) Medical assistance
1.8 covers outpatient hospital or physician-directed clinic services. The physician-directed clinic
1.9 staff shall include at least two physicians and all services shall be provided under the direct
1.10 supervision of a physician. Hospital outpatient departments are subject to the same limitations
1.11 and reimbursements as other enrolled vendors for all services, except initial triage, emergency
1.12 services, and services not provided or immediately available in clinics, physicians' offices,
1.13 or by other enrolled providers. "Emergency services" means those medical services required
1.14 for the immediate diagnosis and treatment of medical conditions that, if not immediately
1.15 diagnosed and treated, could lead to serious physical or mental disability or death or are
1.16 necessary to alleviate severe pain. Neither the hospital, its employees, nor any physician or
1.17 dentist, shall be liable in any action arising out of a determination not to render emergency
1.18 services or care if reasonable care is exercised in determining the condition of the person,
1.19 or in determining the appropriateness of the facilities, or the qualifications and availability
1.20 of personnel to render these services consistent with this section.

1.21 (b) Outpatient services covered by medical assistance include but are not limited to
1.22 extracorporeal membrane oxygenation (ECMO) cannulation performed in a hospital setting
1.23 or in a self-contained mobile ECMO unit.