

This Document can be made available  
in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **2040**

March 13, 2007

Authored by Madore

The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act  
1.2 relating to health; requiring disclosure of financial interests; amending Minnesota  
1.3 Statutes 2006, section 144.6521, subdivision 1.

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

1.5 Section 1. Minnesota Statutes 2006, section 144.6521, subdivision 1, is amended to  
1.6 read:

1.7 Subdivision 1. **Disclosure.** (a) No health care provider with a financial or economic  
1.8 interest in, or an employment or contractual arrangement that limits referral options with,  
1.9 a hospital, outpatient surgical center or diagnostic imaging facility, or an affiliate of one  
1.10 of these entities, shall refer a patient to that hospital, center, or facility, or an affiliate of  
1.11 one of these entities, unless the health care provider discloses in writing to the patient, in  
1.12 advance of the referral, the existence of such an interest, employment, or arrangement.

1.13 The written disclosure form must be printed in letters of at least 12-point boldface  
1.14 type and must read as follows: "Your health care provider is referring you to a facility or  
1.15 service in which your health care provider has a financial or economic interest."

1.16 Hospitals, outpatient surgical centers, and diagnostic imaging facilities shall  
1.17 promptly report to the commissioner of health any suspected violations of this section by a  
1.18 health care provider who has made a referral to such hospital, outpatient surgical center, or  
1.19 diagnostic imaging facility without providing the written notice.

1.20 (b) A health care provider shall provide written disclosure to all current patients by  
1.21 January 1, 2009, and all new patients thereafter, when that provider stands to materially  
1.22 benefit, or to avoid a possible financial loss, by not making a referral to a hospital,  
1.23 outpatient surgical center, diagnostic imaging facility, specialist physician, or specialty  
1.24 clinic, because of any reimbursement arrangement or contract that the health care provider

- 2.1 has entered. The written disclosure must be sufficient to make patients aware that the  
2.2 health care provider stands to materially benefit, or to avoid a possible financial loss, by  
2.3 not making a referral. This written disclosure must be printed in letters of at least 12-point  
2.4 boldface type and must be provided to patients at least one time, either by mail or at the  
2.5 time services are provided to the patient.