

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE **S.F. No. 1921**

(SENATE AUTHORS: ROBLING, Stumpf, Senjem and Hann)

DATE	D-PG	OFFICIAL STATUS
02/16/2012	3835	Introduction and first reading Referred to Health and Human Services
03/01/2012	3991a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
03/14/2012	4408a	Comm report: To pass as amended and re-refer to State Government Innovation and Veterans
03/15/2012	4502	Comm report: To pass and re-referred to Finance
04/03/2012		Comm report: To pass as amended Second reading

A bill for an act

relating to health; requiring licensure of certain facilities that perform abortions; requiring a licensing fee; amending Minnesota Statutes 2010, section 13.381, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Section 1. Minnesota Statutes 2010, section 13.381, is amended by adding a subdivision to read:

Subd. 12a. **Abortion facility inspections and investigations.** Certain data collected by the commissioner of health in connection with the inspection and investigation of facilities that perform abortions is governed by section 145.479, subdivision 2.

Sec. 2. **[145.479] LICENSURE OF CERTAIN FACILITIES THAT PERFORM ABORTIONS.**

Subdivision 1. **License required for facilities that perform ten or more abortions per month.** A clinic, health center, or other facility in which the pregnancies of ten or more women known to be pregnant are willfully terminated or aborted each month, including nonsurgical abortions, shall be licensed by the commissioner of health. The commissioner of health shall adopt rules necessary for licensure under this section.

Subd. 2. **Inspections; data privacy.** The commissioner of health shall perform inspections and investigations as deemed necessary. Information collected or received by the commissioner through filed reports, inspections, or as otherwise authorized under this section is private data on individuals as defined in section 13.02, subdivision 12, but may be disclosed to another state agency for purposes of investigation of professional or business practices in a licensed abortion facility.

S.F. No. 1921, 2nd Engrossment - 87th Legislative Session (2011-2012) [S1921-2]

2.1 Subd. 3. **No notice required for inspection.** Every clinic, health center, or other
2.2 facility licensed under this section, and any other premise proposed to be conducted as a
2.3 facility by an applicant for a license, shall be open at all reasonable times to inspection
2.4 authorized in writing by the commissioner of health. No notice need be given to any
2.5 person prior to any inspection.

2.6 Subd. 4. **Fees.** (a) The license fee for a facility is \$.....

2.7 (b) Fees shall be collected and deposited according to section 144.122.

2.8 Subd. 5. **Severability.** If any one or more provision, section, subdivision, sentence,
2.9 clause, phrase, or word of this section or the application of it to any person or circumstance
2.10 is found to be unconstitutional, it is declared to be severable and the balance of this section
2.11 shall remain effective notwithstanding such unconstitutionality. The legislature intends
2.12 that it would have passed this section, and each provision, section, subdivision, sentence,
2.13 clause, phrase, or word, regardless of the fact that any one provision, section, subdivision,
2.14 sentence, clause, phrase, or word is declared unconstitutional.