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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4548

04/14/2020 Authored by Gruenhagen
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to health care; establishing requirements for health care providers whose
1.3 act or omission causes a health-care-associated infection; proposing coding for
1.4 new law in Minnesota Statutes, chapter 145.

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

1.6 Section 1. [145.351] HEALTH-CARE-ASSOCIATED INFECTIONS CAUSED BY
1.7 HEALTH CARE PROVIDERS.

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

1.10 (b) "Health care provider" or "provider" has the meaning given in section 62J.03,
1.11 subdivision 8.

1.12 (c) "Health-care-associated infection" means a bacterial, fungal, viral, or other pathogenic
1.13 infection a patient developed while the patient was receiving health care for another health
1.14 condition and includes a surgical site infection, ventilator-associated pneumonia, a
1.15 central-line-associated bloodstream infection, a C. difficile infection, or a catheter-associated
1.16 urinary tract infection.

1.17 (d) "Health carrier" has the meaning given in section 62A.011, subdivision 2.

1.18 (e) "Health plan" has the meaning given in section 62A.011, subdivision 3, and does
1.19 not include coverage provided under medical assistance, MinnesotaCare, or Medicare.

1.20 Subd. 2. Health care provider duties. If a patient covered by a health plan develops a
1.21 health-care-associated infection following a surgical procedure or use of a catheter, ventilator,
1.22 or central line on the patient, and if the health-care-associated infection was caused by an

2.1 act or omission of the provider in the surgical procedure; use of a catheter, ventilator, or  
2.2 central line; or follow-up care, the provider:

2.3 (1) must, in compliance with accepted medical standards, either:

2.4 (i) provide the patient with the health care needed to treat or cure the  
2.5 health-care-associated infection; or

2.6 (ii) if the patient so requests or if necessary to meet the patient's health care needs,  
2.7 transfer the patient to another provider of the patient's choosing for the health care needed  
2.8 to treat or cure the health-care-associated infection;

2.9 (2) must pay the provider to whom the patient is transferred for the cost of the health  
2.10 care provided by the other provider to treat or cure the health-care-associated infection, if  
2.11 the patient is transferred to another provider; and

2.12 (3) shall not bill the patient or the patient's health carrier for the cost of providing the  
2.13 patient with the health care needed to treat or cure the health-care-associated infection, or  
2.14 for the cost of the health care provided by the other provider to treat or cure the  
2.15 health-care-associated infection if the patient is transferred to another provider.