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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 3265**

February 20, 2008

Authored by Thissen; Murphy, E.; Fritz; Brod; Norton and others

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

March 13, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act  
1.2 relating to health; extending two-year moratorium on radiation therapy facility  
1.3 construction in certain counties; amending Minnesota Statutes 2007 Supplement,  
1.4 section 144.5509.

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

1.6 Section 1. Minnesota Statutes 2007 Supplement, section 144.5509, is amended to read:

1.7 **144.5509 RADIATION THERAPY FACILITY CONSTRUCTION.**

1.8 (a) A radiation therapy facility may be constructed only by an entity owned,  
1.9 operated, or controlled by a hospital licensed according to sections 144.50 to 144.56 either  
1.10 alone or in cooperation with another entity.

1.11 (b) Notwithstanding paragraph (a), there shall be a ~~two-year~~ moratorium on the  
1.12 construction of any radiation therapy facility located in the following counties: Hennepin,  
1.13 Ramsey, Dakota, Washington, Anoka, Carver, Scott, St. Louis, Sherburne, Benton,  
1.14 Stearns, Chisago, Isanti, and Wright. This paragraph does not apply to the relocation or  
1.15 reconstruction of an existing facility owned by a hospital if the relocation or reconstruction  
1.16 is within one mile of the existing facility. This paragraph does not apply to a radiation  
1.17 therapy facility that is being built attached to a community hospital in Wright County and  
1.18 meets the following conditions prior to August 1, 2007: the capital expenditure report  
1.19 required under Minnesota Statutes, section 62J.17, has been filed with the commissioner  
1.20 of health; a timely construction schedule is developed, stipulating dates for beginning,  
1.21 achieving various stages, and completing construction; and all zoning and building  
1.22 permits applied for. ~~This paragraph expires August 1, 2009.~~