

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2944

03/10/2014 Authored by Norton

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

1.1 A bill for an act
1.2 relating to health; providing an exemption for dental cone beam computerized
1.3 tomography from diagnostic imaging requirements; amending Minnesota
1.4 Statutes 2012, section 144.565, subdivision 4; Minnesota Statutes 2013
1.5 Supplement, section 144.1225, subdivision 2.

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

1.7 Section 1. Minnesota Statutes 2013 Supplement, section 144.1225, subdivision 2,
1.8 is amended to read:

1.9 Subd. 2. **Accreditation required.** (a)(1) Except as otherwise provided in ~~paragraph~~
1.10 paragraphs (b) and (c), advanced diagnostic imaging services eligible for reimbursement
1.11 from any source, including, but not limited to, the individual receiving such services
1.12 and any individual or group insurance contract, plan, or policy delivered in this state,
1.13 including, but not limited to, private health insurance plans, workers' compensation
1.14 insurance, motor vehicle insurance, the State Employee Group Insurance Program
1.15 (SEGIP), and other state health care programs, shall be reimbursed only if the facility at
1.16 which the service has been conducted and processed is licensed pursuant to sections
1.17 144.50 to 144.56 or accredited by one of the following entities:

1.18 (i) American College of Radiology (ACR);
1.19 (ii) Intersocietal Accreditation Commission (IAC);
1.20 (iii) the Joint Commission; or
1.21 (iv) other relevant accreditation organization designated by the Secretary of the
1.22 United States Department of Health and Human Services pursuant to United States Code,
1.23 title 42, section 1395M.

1.24 (2) All accreditation standards recognized under this section must include, but are
1.25 not limited to:

(i) provisions establishing qualifications of the physician;
(ii) standards for quality control and routine performance monitoring by a medical physicist;
(iii) qualifications of the technologist, including minimum standards of supervised clinical experience;
(iv) guidelines for personnel and patient safety; and
(v) standards for initial and ongoing quality control using clinical image review and quantitative testing.

(b) Any facility that performs advanced diagnostic imaging services and is eligible to receive reimbursement for such services from any source in paragraph (a), clause (1), must obtain licensure pursuant to sections 144.50 to 144.56 or accreditation pursuant to paragraph (a) by August 1, 2013. Thereafter, all facilities that provide advanced diagnostic imaging services in the state must obtain licensure or accreditation prior to commencing operations and must, at all times, maintain either licensure pursuant to sections 144.50 to 144.56 or accreditation with an accrediting organization as provided in paragraph (a).

(c) Dental clinics or offices that perform diagnostic imaging through dental cone beam computerized tomography do not need to meet the accreditation or reporting requirements in this section.

Sec. 2. Minnesota Statutes 2012, section 144.565, subdivision 4, is amended to read:

Subd. 4. **Definitions.** For purposes of this section, the following terms have the meanings given:

(a) "Diagnostic imaging facility" means a health care facility that is not a hospital or location licensed as a hospital which offers diagnostic imaging services in Minnesota, regardless of whether the equipment used to provide the service is owned or leased. For the purposes of this section, diagnostic imaging facility includes, but is not limited to, facilities such as a physician's office, clinic, mobile transport vehicle, outpatient imaging center, or surgical center. A dental clinic or office is not considered a diagnostic imaging facility for the purpose of this section when the clinic or office performs diagnostic imaging through dental cone beam computerized tomography.

(b) "Diagnostic imaging service" means the use of ionizing radiation or other imaging technique on a human patient including, but not limited to, magnetic resonance imaging (MRI) or computerized tomography (CT) other than dental cone beam computerized tomography, positron emission tomography (PET), or single photon emission computerized tomography (SPECT) scans using fixed, portable, or mobile equipment.

(c) "Financial or economic interest" means a direct or indirect:

(1) equity or debt security issued by an entity, including, but not limited to, shares of stock in a corporation, membership in a limited liability company, beneficial interest in a trust, units or other interests in a partnership, bonds, debentures, notes or other equity interests or debt instruments, or any contractual arrangements;

(2) membership, proprietary interest, or co-ownership with an individual, group, or organization to which patients, clients, or customers are referred to; or

(3) employer-employee or independent contractor relationship, including, but not limited to, those that may occur in a limited partnership, profit-sharing arrangement, or other similar arrangement with any facility to which patients are referred, including any compensation between a facility and a health care provider, the group practice of which the provider is a member or employee or a related party with respect to any of them.

(d) "Fixed equipment" means a stationary diagnostic imaging machine installed in a permanent location.

(e) "Mobile equipment" means a diagnostic imaging machine in a self-contained transport vehicle designed to be brought to a temporary offsite location to perform diagnostic imaging services.

(f) "Portable equipment" means a diagnostic imaging machine designed to be temporarily transported within a permanent location to perform diagnostic imaging services.

(g) "Provider of diagnostic imaging services" means a diagnostic imaging facility or an entity that offers and bills for diagnostic imaging services at a facility owned or leased by the entity.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.