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REVISOR

HOUSE OF REPRESENTATIVES

12-5420

н. г. No. 2674

State of Minnesota

EIGHTY-SEVENTH SESSION

03/05/2012 Authored by Lohmer; Holberg; Anderson, P.; Hancock; Hamilton and others The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.2	relating to health; requiring licensure of certain facilities that perform abortions;
1.3	proposing coding for new law in Minnesota Statutes, chapter 145.
1.4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

A bill for an act

Section 1. <u>[145.479] LICENSURE OF CERTAIN FACILITIES THAT PERFORM</u> ABORTIONS.

1.7 <u>Subdivision 1.</u> License required for facilities that perform ten or more abortions
1.8 per month. A clinic, health center, or other facility in which the pregnancies of ten or
1.9 more women known to be pregnant are willfully terminated or aborted each month,
1.10 including nonsurgical abortions, shall be licensed by the commissioner of health. The

- 1.11 commissioner of health shall adopt rules necessary for licensure under this section.
- 1.12 Subd. 2. Inspections; data privacy. The commissioner of health shall perform
- 1.13 inspections and investigations as deemed necessary. Information received by the
- 1.14 <u>commissioner through filed reports, inspections, or as otherwise authorized under this</u>
- 1.15 section is private data on individuals according to section 13.02, subdivision 12, and must
- 1.16 <u>not be disclosed publicly in such manner as to identify individual patients, except to</u>
- 1.17 <u>another state agency for purposes of investigation of professional or business practices in</u>
- 1.18 <u>a licensed abortion facility</u>. Any state agency that receives such data must not disclose
- 1.19 <u>individual patient information publicly.</u>
- 1.20 <u>Subd. 3.</u> No notice required for inspection. Every clinic, health center, or other
- 1.21 <u>facility licensed under this section, and any other premise proposed to be conducted as a</u>
- 1.22 <u>facility by an applicant for a license, shall be open at all reasonable times to inspection</u>
- 1.23 <u>authorized in writing by the commissioner of health. No notice need be given to any</u>
- 1.24 person prior to any inspection.

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2.1	Subd. 4. Severability. If any one	or more provision, s	section, subdivision	i, sentence,	
2.2	clause, phrase, or word of this section o	r the application of it	to any person or ci	rcumstance	
2.3	is found to be unconstitutional, it is declared to be severable and the balance of this section				
2.4	shall remain effective notwithstanding	such unconstitutional	lity. The legislature	e intends	
2.5	that it would have passed this section, a	and each provision, so	ection, subdivision	, sentence,	
2.6	clause, phrase, or word, regardless of the	ne fact that any one p	rovision, section, s	ubdivision,	
2.7	sentence, clause, phrase, or word is dec	lared unconstitutiona	<u>al.</u>		