

Subject Informed consent for sensitive examinations

Authors Robbins and others

Analyst Elisabeth Klarqvist

Date March 20, 2025

Overview

This bill prohibits a health professional from conducting a sensitive examination on a patient who is under anesthesia or is unconscious, unless the patient or the patient's representative provided informed consent to the sensitive examination needed for preventive, diagnostic, or treatment purposes, or other criteria are met.

Summary

Section	Description
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1	Informed consent for sensitive examinations.
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Adds § 144.6584. Prohibits a health professional, or a student or resident in a health professional training program, from conducting a sensitive examination on a patient who is under anesthesia or is unconscious, unless:

- the patient or the patient's representative provided informed consent to the sensitive examination, and the sensitive examination is needed for preventive, diagnostic, or treatment purposes;
- the patient or the patient's representative provided informed consent to a procedure or examination, and the sensitive examination is within the scope of the procedure or examination;
- the patient is unconscious and the sensitive examination is needed to diagnose or treat the patient; or
- a court ordered a sensitive examination to collect evidence.

Provides a violation of this section is a gross misdemeanor and is a ground for disciplinary action by the health-related licensing board that regulates the health professional, student, or resident who performed the sensitive examination.

Effective date: This section is effective August 1, 2025, and applies to crimes committed on or after that date.



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Subject Hot tubs on rental property

Authors Schultz and others

Analyst Elisabeth Klarqvist

Date March 20, 2025

Overview

The commissioner of health is responsible for enforcing laws and rules relating to the operation, maintenance, design, installation, and construction of public pools. A public pool is defined as any pool, other than a private residential pool, that is open to the public, to members of an organization and their guests, to residents of an apartment complex or residential development, or to patrons of a lodging facility, or is operated in certain other settings. Hot water pools, or hot tubs, are a type of public pool and must comply with requirements in rule. Under current law hot tubs located on rental houseboats are exempt from the requirements for public pools in rule. This bill establishes an exemption from the requirements for public pools for hot tubs on the property of a stand-alone, single-unit rental property and allows renters to use these hot tubs if certain requirements are met.

Summary

Section	Description
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| 1 | <p>Hot tubs on rental property.</p> <p>Amends § 144.1222, subd. 2d. Current law exempts hot tubs on rental houseboats from the requirements for public pools. Para. (a) establishes an exemption from the requirements for public pools for hot tubs on the property of a stand-alone, single-unit rental property and allows these hot tubs to be used by renters of the property if:</p> <ul style="list-style-type: none">▪ the water temperature in the hot tub does not exceed 106 degrees Fahrenheit;▪ before check-in by each new rental party, the property owner or resort offering the property for rent tests the water in the hot tub for the concentration of chlorine or bromine, pH, and alkalinity, and the water in the hot tub meets the requirements in rules for disinfection residue, pH, and alkalinity that apply to hot water pools; and |
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Section	Description
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- upon rental, the property owner or resort provides notice to the renters that there is a hot tub on the property and the hot tub is not governed by all of the requirements in state law and rule for public pools.

Para. (b) specifies that hot tubs located on rental houseboats are not subject to the temperature, testing, and notice requirements in para. (a).

Para. (c) prohibits a political subdivision from adopting a local law, rule, or ordinance that prohibits renters from using a hot tub at a stand-alone, single-unit rental property or on a rental houseboat, or that establishes additional requirements for their use.

Para. (d) makes a technical change to the notice that must be posted by a hot tub at a stand-alone, single-unit rental property or rental houseboat.



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Subject Redirecting hospital surcharge to the HCAF

Authors Nadeau and others

Analyst Annie Mach

Date March 21, 2025

Summary

Hospitals in the state, except for Indian Health Service facilities and regional treatment centers, must pay a surcharge equal to 1.56 percent of net patient revenue to the state's general fund (Minnesota Statutes, section 256.9657, subdivision 2). This bill redirects the payments to the health care access fund (HCAF), which is a fund primarily used to pay for portions of the cost of both the Medical Assistance and MinnesotaCare programs.

Subject Higher Education Facilities Authority

Authors Bahner and others

Analyst Nathan Hopkins

Date March 19, 2025

Overview

The legislature created the Higher Education Facilities Authority in 1971 to provide nonprofit private postsecondary institutions with conduit financing for large-scale capital projects. Conduit financing allows nongovernment entities to access tax-exempt municipal bonds to finance capital projects that have a broader public benefit. Currently, the authority is empowered to issue revenue bonds, with a \$2 billion cap on aggregate outstanding amounts. The authority receives no funding from the state and the bonds it issues do not constitute a debt of the state. Rather, bonds issued by the authority are payable only from the loan repayments, rentals, collateral, and other revenues pledged for their payment; the operations of the authority are financed from fees paid by the participating institutions and investment income; and all bond issuance costs are paid by the participating institution. This means that the authority operates without any cost to the state or taxpayers.

This bill would expand the existing Higher Education Facilities Authority by empowering it to also provide conduit capital financing to nonprofit health care organizations. The authority is therefore renamed the “Minnesota Health and Education Facilities Authority.” The bill also increases the cap on aggregate outstanding bond amounts to \$5 billion, allocating \$2.25 billion to fund higher education projects and \$2.75 billion to fund health care projects.

Summary

Section	Description
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| 1 | Creation.
Changes the name of the authority to the “Minnesota Health and Education Facilities Authority,” to reflect its expanded role. |
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Section	Description
2	Memberships; officers; compensation; removal. Adds to the authority's board of directors an additional member who must be affiliated with a health care organization. Makes the CEO of an association of nonprofit health care organizations a nonvoting, advisory member of the authority.
3	Policy. Amends this section to reflect the expanded role of the authority.
4	Definitions. Adds new definitions for "affiliate," "health care organization," "educational facility," and "health care facility." Amends the current definition of "project." Makes other conforming changes to the definitions subdivision.
5	Purpose. Makes conforming changes to reflect the expanded role of the authority.
6	Employees; office space. Moves authority employees to the managerial compensation and benefits plan. Authorizes the authority to maintain an office space of its choosing.
7	Projects; generally. Requires authority-funded health care facility projects to comply with state laws regarding construction or modification of such facilities.
8	Revenue bonds; limit. Increases the total value of outstanding bonds the authority may issue from \$2 billion to \$5 billion, and allocates \$2.25 billion to fund higher education projects and \$2.75 billion to fund health care projects.
9	Revenue bonds; issuance, purpose, conditions. Makes conforming changes to reflect the expanded role of the authority.
10	Rules for use of projects. Makes conforming changes to reflect the expanded role of the authority.
11	Surety. Makes a grammatical correction.
12	Sale, lease, and disposal of property. Makes grammatical changes.

Section	Description
13	Loans. Makes conforming changes to reflect the expanded role of the authority.
14	Costs, expenses, and other charges. Clarifies the authority's ability to charge participating institutions for the authority's administrative expenses.
15	Determination of affiliate status. Empowers the authority to determine whether an entity meets the new definition of "affiliate," added in section 4 of the bill.
16	Bonds; generally. Adds a new requirement that, before issuing bonds to finance a health care facility, the authority obtain consent from the city or town where the facility will be located.
17	Provisions of resolution authorizing bonds. Clarifies that the authority may contract with multiple entities to secure payment of revenue bonds.
18	Health care certification. Requires a health care organization to affirm that, while authority financing for its project remains outstanding, it will not use bond proceeds to benefit any private party or private equity-funded entity.
19	Trust agreement. Makes grammatical changes.
20	Investment. Allows the authority to invest escrowed bond proceeds in money market funds that invest solely in federally guaranteed debt obligations.
21	Additional purpose; improvements. Makes a clarifying correction. Section 136A.32, subdivision 7, permits bond proceeds to be deposited in time deposits or invested in repurchase agreements of certain banks.
22	Revenues. Allows the authority to charge different rates for education projects than for health care projects. Makes grammatical and conforming changes.

Section	Description
23	Bonds eligible for investment. Makes grammatical changes.
24	Conflict of interest. Makes conforming changes to reflect the expanded role of the authority.
25	Annual report. Requires the authority's annual report to be sent to the Minnesota Historical Society and the Legislative Reference Library, instead of to the Office of Higher Education.
26	Revisor instruction. Recodifies statutes concerning the authority into a new statutory chapter, 15D, which is proximate to other chapters regarding state finance.
27	Repealer. Repeals a subdivision allowing the authority to colocate and share staff with the Office of Higher Education.



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Subject Prior authorization reporting and changes in clinical criteria

Authors Bierman

Analyst Elisabeth Klarqvist

Date March 20, 2025

Overview

This bill modifies terminology for fee-for-service providers under medical assistance or MinnesotaCare in a subdivision governing changes in coverage terms or clinical criteria used to conduct prior authorizations. It also provides the commissioner of human services, for purposes of medical assistance and MinnesotaCare, is not required to comply with a statute that requires annual posting of data on prior authorizations performed in the previous calendar year.

Summary

Section	Description
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| 1 | <p>Effect of change in prior authorization clinical criteria.</p> <p>Amends § 62M.17, subd. 2. In a subdivision establishing requirements for changes during a plan year to coverage terms or clinical criteria used to conduct prior authorizations, provides that for fee-for-service providers under medical assistance or MinnesotaCare, changes to coverage terms or clinical criteria that occur during a calendar year do not apply until the next calendar year in the specified circumstances.</p> |
| 2 | <p>Applicability of utilization review provisions.</p> <p>Amends § 256B.0625, subd. 25c. Removes section 62M.18 from the list of utilization review and prior authorization statutes with which the commissioner of human services must comply for purposes of medical assistance and MinnesotaCare. Removing this section means the commissioner would not be required to post, by April 1 each year, data on prior authorizations performed in the previous calendar year.</p> |

Subject Contingent reductions in provider taxes

Authors Backer

Analyst Elisabeth Klarqvist

Date March 19, 2025

Overview

This bill makes technical changes to a subdivision authorizing contingent reductions to provider taxes in certain circumstances.

Summary

Section	Description
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|---|---|
| 1 | <p>Contingent reduction in tax rate.</p> <p>Amends § 295.52, subd. 8. In a subdivision authorizing contingent reductions to provider taxes in certain circumstances, makes technical changes and strikes an obsolete effective date.</p> |
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Subject Fees assessed by commissioner of health

Authors Backer

Analyst Elisabeth Klarqvist

Date March 19, 2025

Overview

This bill removes obsolete language from a section establishing fees assessed by the commissioner of health.

Summary

Section	Description
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| 1 | License, permit, and survey fees.
Amends § 144.122. Removes obsolete language from a section establishing fees assessed by the commissioner of health. |
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