

## CERTIFICATE-OF-NEED LAWS



# MINNESOTA STATE PROFILE

Certificate-of-need (CON) laws require healthcare providers to obtain permission before they open or expand their practices or purchase certain devices or new technologies. Applicants must prove that the community “needs” the new or expanded service, and existing providers are invited to challenge would-be competitors’ applications. CON laws have persisted in spite of mounting evidence from health economists, regulatory economists, and antitrust lawyers showing that these laws fail to achieve their intended goals.

### HEALTHCARE SERVICES THAT REQUIRE A CON IN MINNESOTA AS OF JANUARY 2020



Ground Ambulance  
Cap on Hospital Beds  
(Acute, General Licensed,  
Med-Surg, etc.)

Local CONs on Intermediate  
Care Facilities (ICFs) for  
Individuals with Intellectual  
Disabilities

Cap on New Hospitals or  
Hospital-Sized Investments

Cap on Radiation Therapy

When a state caps a service, it sets a numerical limit on the number of such services that may exist in the state. While a cap is not the same thing as a CON we include these because they may have similar effects.

Ambulance service CONs are often regulated by transportation agencies and not healthcare agencies. Because ambulance restrictions may not have the same implications as other CONs, some researchers do not include them in regression analyses.

While Minnesota does not have a state CON program on Intermediate Care Facilities (ICFs) for Individuals with Intellectual Disabilities, it does have a local system needs plan governing care for those with developmental disabilities and this program is similar to a CON.