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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3411

02/14/2022 Authored by Neu Brindley The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to insurance; providing for continuation of the Minnesota premium security
1.3 plan for benefit year 2023 upon federal approval; requiring the commissioner of
1.4 commerce to submit a request for a continuation of the federal waiver; amending
1.5 Laws 2017, chapter 13, article 1, section 15, as amended.

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

1.7 Section 1. Laws 2017, chapter 13, article 1, section 15, as amended by Laws 2017, First
1.8 Special Session chapter 6, article 5, section 10, Laws 2019, First Special Session chapter
1.9 9, article 8, section 19, and Laws 2021, First Special Session chapter 7, article 15, section
1.10 1, is amended to read:

1.11 Sec. 15. MINNESOTA PREMIUM SECURITY PLAN FUNDING.

1.12 (a) The Minnesota Comprehensive Health Association shall fund the operational and
1.13 administrative costs and reinsurance payments of the Minnesota security plan and association
1.14 using the following amounts deposited in the premium security plan account in Minnesota
1.15 Statutes, section 62E.25, subdivision 1, in the following order:

- 1.16 (1) any federal funding available;
1.17 (2) funds deposited under article 1, sections 12 and 13;
1.18 (3) any state funds from the health care access fund; and
1.19 (4) any state funds from the general fund.

1.20 (b) The association shall transfer from the premium security plan account any remaining
1.21 state funds not used for the Minnesota premium security plan by June 30, 2024 2025, to the

2.1 commissioner of commerce. Any amount transferred to the commissioner of commerce
2.2 shall be deposited in the health care access fund in Minnesota Statutes, section 16A.724.

2.3 (c) The Minnesota Comprehensive Health Association may not spend more than
2.4 \$271,000,000 for benefit year 2018 and not more than \$271,000,000 for benefit year 2019
2.5 for the operational and administrative costs of, and reinsurance payments under, the
2.6 Minnesota premium security plan.

2.7 **EFFECTIVE DATE.** This section is effective upon federal approval of the continuation
2.8 of the state innovation waiver described in section 3. The commissioner of commerce must
2.9 notify the revisor of statutes when federal approval is obtained.

2.10 Sec. 2. **MINNESOTA PREMIUM SECURITY PLAN ADMINISTERED THROUGH**
2.11 **THE 2023 BENEFIT YEAR.**

2.12 (a) The Minnesota Comprehensive Health Association must administer the Minnesota
2.13 premium security plan through the 2023 benefit year.

2.14 (b) Notwithstanding Minnesota Statutes, section 62E.23, the Minnesota premium security
2.15 plan payment parameters for benefit year 2023 are:

2.16 (1) an attachment point of \$50,000;

2.17 (2) a coinsurance rate of 80 percent; and

2.18 (3) a reinsurance cap of \$250,000.

2.19 **EFFECTIVE DATE.** This section is effective upon federal approval of the continuation
2.20 of the state innovation waiver described in section 3. The commissioner of commerce must
2.21 notify the revisor of statutes when federal approval is obtained.

2.22 Sec. 3. **CONTINUATION OF STATE INNOVATION WAIVER.**

2.23 The commissioner of commerce must apply to the secretary of health and human services
2.24 under United States Code, title 42, section 18052, for a continuation of the state innovation
2.25 waiver previously granted to implement the Minnesota premium security plan for benefit
2.26 years beginning January 1, 2023, to maximize federal funding. The commissioner must
2.27 submit the application by February 28, 2022. The waiver application must clearly state that
2.28 operation of the Minnesota premium security plan after the 2022 benefit year is contingent
2.29 on approval of the waiver request.

2.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.