

A bill for an act

relating to human services; requiring patient-centered decision-making process before certain procedures are reimbursed under state employee health insurance program and medical assistance; amending Minnesota Statutes 2008, section 256B.76, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62U.

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

Section 1. **[62U.11] PATIENT-CENTERED DECISION MAKING.**

(a) By January 1, 2010, the commissioners of human services and finance shall require active participation in a patient-centered decision-making process before reimbursement is paid, either on a fee-for-service basis or by a health plan company under contract with the commissioner of human services or finance, for a surgical procedure for any of the following conditions: abnormal uterine bleeding; benign prostate enlargement; chronic back pain; early stage of breast and prostate cancers; gastroesophageal reflux disease; hemorrhoids; spinal stenosis; temporomandibular joint dysfunction; ulcerative colitis; urinary incontinence; uterine fibroids; or varicose veins. A list of these procedures shall be published in the State Register by October 1, 2010. The list shall be biennially reviewed by the commissioners and any additions to the list shall be published in the State Register.

(b) For purposes of this section, "patient-centered decision-making process" means a process that involves directed interaction with the patient to assist the patient in arriving at an informed objective health care decision regarding the surgical procedure. The interaction may be conducted by a health care provider or through the electronic use of decision aids.

2.1       Sec. 2. Minnesota Statutes 2008, section 256B.76, is amended by adding a subdivision  
2.2 to read:

2.3       Subd. 7. **Patient-centered decision making.** Beginning January 1, 2010, no  
2.4 payment reimbursement shall be made for a surgical procedure for any condition identified  
2.5 under section 62U.11, either on a fee-for-service basis by the commissioner or by a health  
2.6 plan under contract with the commissioner, until the patient or the patient's parent or legal  
2.7 guardian has participated in a patient-centered decision-making process. For purposes  
2.8 of this subdivision, a "patient-centered decision-making process" has the meaning given  
2.9 in section 62U.11.