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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4306

03/09/2020 Authored by Bierman, Hamilton, Christensen, Cantrell, Xiong, J., and others
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to insurance; health; requiring individual and small group health plan
1.3 offerings to include a predeductible, flat co-pay on prescription drug option;
1.4 amending Minnesota Statutes 2018, section 62Q.81, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 62Q.81, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 6. Prescription drug benefits. (a) A health plan company that offers individual
1.9 health plans must offer within each geographic area that they service at least one individual
1.10 health plan at each level of coverage described in subdivision 1, paragraph (b), clause (3),
1.11 which applies a predeductible, flat-dollar amount co-payment structure to the entire drug
1.12 benefit, including all tiers.

1.13 (b) A health plan company that offers small group health plans must offer within each
1.14 geographic area that they service at least one small group health plan at each level of coverage
1.15 described in subdivision 1, paragraph (b), clause (3), which applies a predeductible, flat-dollar
1.16 amount co-payment structure to the entire drug benefit, including all tiers.

1.17 (c) The highest allowable co-payment for the highest cost drug tier for health plans
1.18 offered pursuant to this subdivision must be no greater than 1/12 of the plan's out-of-pocket
1.19 maximum for an individual.

1.20 (d) The flat-dollar amount co-payment tier structure for prescription drugs under this
1.21 subdivision must be graduated and proportionate.

- 2.1 (e) All individual and small group health plans offered pursuant to this subdivision must
- 2.2 be:
- 2.3 (1) clearly and appropriately named to aid the purchaser in the selection process;
- 2.4 (2) marketed in the same manner as other health plans offered by the health plan company;
- 2.5 and
- 2.6 (3) offered for purchase to any individual or small group.
- 2.7 **EFFECTIVE DATE.** This section is effective January 1, 2021, and applies to individual
- 2.8 and small group health plans offered, issued, or renewed on or after that date.