

(SENATE AUTHORS: NIENOW, Hoffman, Benson, Hann and Hall)

DATE	D-PG	OFFICIAL STATUS
03/05/2012	4106	Introduction and first reading Referred to Health and Human Services

1.1

A bill for an act

1.2

relating to health; prohibiting health maintenance organizations and other entities

1.3

from offering products that would be legal only if granted federal waivers from

1.4

certain federal laws; proposing coding for new law in Minnesota Statutes,

1.5

chapter 62Q.

1.6

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

1.7

Section 1. **[62Q.022] PRODUCTS FOR COMMERCIALLY INSURED**

1.8

PATIENTS.

1.9

No health maintenance organization, as defined in section 62D.02, subdivision 4, or

1.10

any other entity that participates in an accountable care organization as defined in section

1.11

3022 of the federal Affordable Care Act may offer products for commercially insured

1.12

patients if the accountable care organization operates under federal waivers from the

1.13

Physician Self-Referral Act ("Stark Act"), United States Code, title 42, section 1395nn;

1.14

the Civil Monetary Penalty Act, United States Code, title 42, section 1320a-7a; the

1.15

Anti-Kickback Act, United States Code, title 42, section 1320a-7b(b); or Antitrust Laws,

1.16

United States Code, title 15, section 1, et seq. For purposes of this section, "Affordable

1.17

Care Act" means the federal Patient Protection and Affordable Care Act, Public Law

1.18

111-148, as amended by the federal Health Care and Education Reconciliation Act of

1.19

2010, Public Law 111-152.

1.20

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