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State of Minnesota

HOUSE OF REPRESENTATIVES

H. F. No. 4096

03/21/2018 Authored by Loonan and Considine The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

A bill for an act 1.1

relating to health care; requiring health plan companies to count payments to 1.2 out-of-network providers toward an enrollee's annual deductible; proposing coding 13 for new law in Minnesota Statutes, chapter 62Q. 1.4

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

Section 1. [62Q.495] DEDUCTIBLES FOR SERVICES PROVIDED BY **OUT-OF-NETWORK PROVIDERS.**

(a) If a health plan imposes an annual deductible that the enrollee is responsible for meeting, the health plan company must count any payment made by the enrollee to a provider for a health care service covered under the enrollee's health plan toward the enrollee's applicable deductible amount, regardless of whether the provider is in-network or out-of-network. If the service is performed by an out-of-network provider, the amount that may be counted toward the enrollee's deductible limit is limited to the amount the enrollee would have been required to pay to an in-network provider for the same service if the actual amount paid by the enrollee to the out-of-network provider is greater. Once the enrollee meets the health plan's deductible, the health plan may require the enrollee to receive covered services from an in-network provider or pay a higher cost-sharing amount if the service is provided by an out-of-network provider.

(b) Nothing in this section shall require a health plan company to pay for services provided by an out-of-network provider, unless required under the terms of the enrollee's health plan, or require a health plan company to provide coverage for a health care service that is not covered under the enrollee's health plan.

Section 1. 1 2.1 **EFFECTIVE DATE.** This section is effective January 1, 2019, and applies to any health

2.2 plan issued or renewed on or after that date.

Section 1. 2