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State of Minnesota

HOUSE OF REPRESENTATIVES NINETIETH SESSION

A bill for an act

relating to health; insurance; prohibiting out-of-network health care providers from

H. F. No. 4311

03/29/2018 Authored by Halverson; Liebling; Murphy, E.; Loeffler; Schultz and others

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.3 1.4	balance billing for emergency services; amending Minnesota Statutes 2016, section 62Q.55, subdivision 5.
1.5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.6	Section 1. Minnesota Statutes 2016, section 62Q.55, subdivision 5, is amended to read:
1.7	Subd. 5. Coverage restrictions or limitations. (a) If emergency services are provided
1.8	by a nonparticipating provider, with or without prior authorization, the health plan company
1.9	shall not impose coverage restrictions or limitations that are more restrictive than apply to
1.10	emergency services received from a participating provider. Cost-sharing requirements that
1.11	apply to emergency services received out-of-network must be the same as the cost-sharing
1.12	requirements that apply to services received in-network.
1.13	(b) If emergency services are provided by a nonparticipating provider:
1.14	(1) the nonparticipating provider shall not request payment from the enrollee in addition
1.15	to the applicable cost-sharing requirements authorized under paragraph (a);
1.16	(2) the enrollee shall be held harmless and not liable for payment to the nonparticipating
1.17	provider that are in addition to the applicable cost-sharing requirements under paragraph
1.18	(a); and
1.19	(3) the nonparticipating provider shall accept as payment-in-full from the health plan
1.20	company an amount equal to the average paid for the emergency services, as determined
1.21	and periodically updated by the commissioner of health, using the most recent data available

Section 1.

under section 62U.04, subdivisions 4 and 5.