

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 1461

(SENATE AUTHORS: BENSON, Rosen, Dahms and Draheim)

DATE	D-PG	OFFICIAL STATUS
02/18/2019	439	Introduction and first reading Referred to Health and Human Services Finance and Policy

1.1 A bill for an act

1.2 relating to health care; permitting an individual eligible for MinnesotaCare to elect

1.3 to purchase a qualified health plan; amending Minnesota Statutes 2018, section

1.4 256L.04, subdivision 1c.

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

1.6 Section 1. Minnesota Statutes 2018, section 256L.04, subdivision 1c, is amended to read:

1.7 Subd. 1c. **General requirements.** (a) To be eligible for MinnesotaCare, a person must

1.8 meet the eligibility requirements of this section. A person eligible for MinnesotaCare shall

1.9 not ~~may~~ be considered a qualified individual under section 1312 of the Affordable Care

1.10 Act, and is not eligible for enrollment in a qualified health plan offered through MNsure

1.11 under chapter 62V if the person elects to enroll in a qualified health plan through MNsure

1.12 in accordance with paragraph (b).

1.13 (b) Upon the determination of eligibility, a person may elect to enroll in a qualified

1.14 health plan and receive a premium tax credit under Code of Federal Regulations, title 26,

1.15 section 1.36B-2. If a person chooses to enroll in a qualified health plan instead of

1.16 MinnesotaCare, the person is no longer eligible for MinnesotaCare for a period of 12 months.

1.17 Covered services, cost-sharing, disenrollment for nonpayment of premiums, enrollee appeal

1.18 rights and complaint procedures, and the effective date of coverage for a person who elects

1.19 to enroll in a qualified health plan must be covered under the terms of the health plan

1.20 purchased by the person and not this chapter. To reenroll in MinnesotaCare after electing

1.21 to purchase a qualified health plan, a person's eligibility must be redetermined and must

1.22 take into account any changes in circumstances that impact eligibility and premium amount.

2.1 (c) The commissioner shall seek any necessary federal waivers for the implementation
2.2 of paragraph (b).

2.3 **EFFECTIVE DATE.** This section is effective January 1, 2020, or upon federal approval,
2.4 whichever is later. The commissioner of human services shall notify the revisor of statutes
2.5 when federal approval is obtained.