

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 187**

(SENATE AUTHORS: GAZELKA, Jensen, Dahms and Benson)

DATE	D-PG	OFFICIAL STATUS
01/20/2015	87	Introduction and first reading Referred to Health, Human Services and Housing

A bill for an act

1.1  
1.2 relating to health; modifying the board membership for the MNsure Board of  
1.3 Directors; amending Minnesota Statutes 2014, section 62V.04, subdivisions 1,  
1.4 2, 4.

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

1.6 Section 1. Minnesota Statutes 2014, section 62V.04, subdivision 1, is amended to read:

1.7 Subdivision 1. **Board.** MNsure is governed by a board of directors with seven  
1.8 nine members.

1.9 Sec. 2. Minnesota Statutes 2014, section 62V.04, subdivision 2, is amended to read:

1.10 Subd. 2. **Appointment.** (a) Board membership of MNsure consists of the following:

1.11 (1) three members appointed by the governor with the advice and consent of both the  
1.12 senate and the house of representatives acting separately in accordance with paragraph (d),  
1.13 with one member representing the interests of individual consumers eligible for individual  
1.14 market coverage, one member representing individual consumers eligible for public health  
1.15 care program coverage, and one member representing small employers. Members are  
1.16 appointed to serve four-year terms following the initial staggered-term lot determination;

1.17 (2) three members appointed by the governor with the advice and consent of both the  
1.18 senate and the house of representatives acting separately in accordance with paragraph (d)  
1.19 who have demonstrated expertise, leadership, and innovation in the following areas: one  
1.20 member representing the areas of health administration, health care finance, health plan  
1.21 purchasing, and health care delivery systems; one member representing the areas of public  
1.22 health, health disparities, public health care programs, and the uninsured; and one member  
1.23 representing health policy issues related to the small group and individual markets.

2.1 Members are appointed to serve four-year terms following the initial staggered-term lot  
2.2 determination; and

2.3 (3) two members appointed by the governor with the advice and consent of both the  
2.4 senate and the house of representatives acting separately in accordance with paragraph (d),  
2.5 one member shall be an executive of a health carrier and one member shall be an insurance  
2.6 producer. Members are appointed to serve four-year terms; and

2.7 ~~(3)~~ (4) the commissioner of human services or a designee.

2.8 (b) Section 15.0597 shall apply to all appointments, except for the commissioner.

2.9 (c) The governor shall make appointments to the board that are consistent with  
2.10 federal law and regulations regarding its composition and structure. All board members  
2.11 appointed by the governor must be legal residents of Minnesota.

2.12 (d) Upon appointment by the governor, a board member shall exercise duties of  
2.13 office immediately. If both the house of representatives and the senate vote not to confirm  
2.14 an appointment, the appointment terminates on the day following the vote not to confirm  
2.15 in the second body to vote.

2.16 (e) Initial appointments shall be made by April 30, 2013.

2.17 (f) One of the six members appointed under paragraph (a), clause (1) or (2), must  
2.18 have experience in representing the needs of vulnerable populations and persons with  
2.19 disabilities.

2.20 (g) Membership on the board must include representation from outside the  
2.21 seven-county metropolitan area, as defined in section 473.121, subdivision 2.

2.22 Sec. 3. Minnesota Statutes 2014, section 62V.04, subdivision 4, is amended to read:

2.23 Subd. 4. **Conflicts of interest.** (a) Within one year prior to or at any time during  
2.24 their appointed term, board members appointed under subdivision 2, paragraph (a),  
2.25 clauses (1) and (2), shall not be employed by, be a member of the board of directors of, or  
2.26 otherwise be a representative of a health carrier, institutional health care provider or other  
2.27 entity providing health care, navigator, insurance producer, or other entity in the business  
2.28 of selling items or services of significant value to or through MNsure. For purposes of this  
2.29 paragraph, "health care provider or entity" does not include an academic institution.

2.30 (b) Board members must recuse themselves from discussion of and voting on an  
2.31 official matter if the board member has a conflict of interest. A conflict of interest means  
2.32 an association including a financial or personal association that has the potential to bias or  
2.33 have the appearance of biasing a board member's decisions in matters related to MNsure  
2.34 or the conduct of activities under this chapter. For purposes of this subdivision, a board

3.1 member does not have a conflict of interest solely because the member is an executive of  
3.2 a health carrier or an insurance producer.

3.3 ~~(e) No board member shall have a spouse who is an executive of a health carrier.~~

3.4 ~~(d)~~ (c) No member of the board may currently serve as a lobbyist, as defined under  
3.5 section 10A.01, subdivision 21.

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