

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

S.F. No. 73

(SENATE AUTHORS: CLAUSEN, Abeler and Hoffman)

DATE
01/10/2019

D-PG

57 Introduction and first reading

OFFICIAL STATUS

Referred to Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to insurance; requiring coverage for treatment and services provided by
1.3 mental health professionals and clinical trainees; requiring a denial of a claim for
1.4 mental health services be made or reviewed by a licensed mental health
1.5 professional; amending Minnesota Statutes 2018, section 62A.15, subdivision 4,
1.6 by adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2018, section 62A.15, is amended by adding a subdivision
1.9 to read:

1.10 Subd. 3c. **Mental health services.** (a) All benefits provided by a policy or contract
1.11 referred to in subdivision 1 relating to expenses incurred for mental health treatment or
1.12 services provided by a mental health professional must also include treatment and services
1.13 provided by a clinical trainee to the extent that the services and treatment are within the
1.14 scope of practice of the clinical trainee according to Minnesota Rules, part 9505.0371,
1.15 subpart 5, item C.

1.16 (b) This subdivision provides equal payment of benefits for mental health treatment and
1.17 services provided by a mental health professional or clinical trainee as defined in this
1.18 subdivision, but does not change or add to the benefits provided for in those policies or
1.19 contracts.

1.20 Sec. 2. Minnesota Statutes 2018, section 62A.15, subdivision 4, is amended to read:

1.21 Subd. 4. **Denial of benefits.** (a) No carrier referred to in subdivision 1 may, in the
1.22 payment of claims to employees in this state, deny benefits payable for services covered by
1.23 the policy or contract if the services are lawfully performed by a licensed chiropractor,

2.1 licensed optometrist, a registered nurse meeting the requirements of subdivision 3a, or a
2.2 licensed acupuncture practitioner.

2.3 (b) When carriers referred to in subdivision 1 make claim determinations concerning
2.4 the appropriateness, quality, or utilization of chiropractic health care for Minnesotans, any
2.5 of these determinations that are made by health care professionals must be made by, or
2.6 under the direction of, or subject to the review of licensed doctors of chiropractic.

2.7 (c) When a carrier referred to in subdivision 1 makes a denial of payment claim
2.8 determination concerning the appropriateness, quality, or utilization of acupuncture services
2.9 for individuals in this state performed by a licensed acupuncture practitioner, a denial of
2.10 payment claim determination that is made by a health professional must be made by, under
2.11 the direction of, or subject to the review of a licensed acupuncture practitioner.

2.12 (d) When a carrier referred to in subdivision 1 makes a denial of payment claim
2.13 determination concerning the appropriateness, quality, or utilization of mental health services
2.14 for individuals in this state performed by a licensed mental health professional or clinical
2.15 trainee, a denial of payment claim determination that is made by a health professional must
2.16 be made by, under the direction of, or subject to the review of a licensed mental health
2.17 professional.