

299B.14 **USE OF RECORD OF CLAIM; EVIDENCE.** Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, ~~including except~~ an action by the state on its subrogation claim.

Sec. 3. This act is effective the day after final enactment and applies to all actions arising on or after that date.

Approved May 22, 1979.

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**CHAPTER 174—H.F.No.1251**

*An act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, by adding a section.*

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

Section 1. Minnesota Statutes 1978, Section 62A.045, is amended to read:

**62A.045 PAYMENTS TO WELFARE RECIPIENTS.** No policy of accident and sickness insurance ~~issued or renewed after August 1, 1975;~~ shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B or services pursuant to sections 252.27; 260.251, subdivision 1a; 261.27; or 393.07, subdivision 1 or 2.

Sec. 2. Minnesota Statutes 1978, Section 62C.141, is amended to read:

**62C.141 PAYMENTS TO WELFARE RECIPIENTS.** ~~After August 1, 1975;~~ No service plan corporation shall deliver, issue for delivery, or renew any subscriber's contract which contains any provision denying or reducing benefits because services are rendered to a subscriber or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B or services pursuant to sections 252.27; 260.251, subdivision 1a; 261.27; or 393.07, subdivision 1 or 2.

Sec. 3. Minnesota Statutes 1978, Section 62E.04, Subdivision 8, is amended to read:

**Subd. 8. REDUCTION OF BENEFITS BECAUSE OF OTHER SERVICES.** No policy of accident and health insurance ~~issued or renewed after August 1, 1977;~~ shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving benefits pursuant to chapters 256B and 256D, or sections 62E.51 to 62E.55 or 252.27; 260.251, subdivision 1a; 261.27; 393.07, subdivision 1 or 2.

Sec. 4. Minnesota Statutes 1978, Section 64A.221, is amended to read:

**Changes or additions indicated by underline deletions by ~~strikeout~~**

64A.221 **PAYMENT TO WELFARE RECIPIENTS.** ~~After August 4, 1975, No association authorized to do business in this state which provides or pays for any health care benefits shall issue any certificate which contains any provision denying or reducing benefits because services are rendered to a certificate holder or beneficiary who is eligible for or receiving medical assistance pursuant to chapter 256B or services pursuant to sections 252.27; 260.251, subdivision 1a; 261.27; or 393.07, subdivision 1 or 2.~~

Sec. 5. Minnesota Statutes 1978, Chapter 393, is amended by adding a section to read:

**[393.13] PRIVATE INSURANCE POLICIES.** Subdivision 1. Upon providing services pursuant to sections 252.27, 260.251, subdivision 1a, 261.27 or 393.07, subdivision 1 or 2 to any person having private health care coverage, the county agency shall be subrogated, to the extent of the cost of services provided, to any rights the person may have under the terms of any private health care coverage. The right of subrogation does not attach to benefits paid or provided under private health care coverage prior to the receipt of written notice of the exercise of subrogation rights by the carrier issuing the health care coverage.

Subd. 2. To recover under this section, the county attorney may institute a civil action against the carrier of the private health care coverage.

Subd. 3. When any amount of money shall be recovered pursuant to this section the county shall pay to the state an amount of the recovery substantially in the proportion in which the state agency has contributed toward the services which were paid by the carrier issuing the health care coverage.

Subd. 4. For the purposes of this section, private health care coverage means any policy or plan regulated by chapter 62A, 62C, 62E or 64A. Private health care coverage also includes any self-insurance plan providing health care benefits.

Sec. 6. This act is effective the day following its final enactment and applies to any policy or plan of private health care coverage issued or renewed on or after that date.

Approved May 22, 1979.

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**CHAPTER 175—H.F.No.1256**

*An act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.*

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

Section 1. Minnesota Statutes 1978, Section 65A.08, Subdivision 1, is repealed.

**Changes or additions indicated by underline deletions by strikeout**