

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2146

02/25/2014 Authored by Norton

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to insurance; establishing requirements for health care provider
1.3 contracts related to preventive services and cost-sharing; establishing grounds
1.4 for disciplinary action related to preventive services and cost-sharing; proposing
1.5 coding for new law in Minnesota Statutes, chapters 62Q; 214.

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

1.7 Section 1. **[62Q.491] CONTRACT REQUIREMENTS RELATED TO**
1.8 **PREVENTIVE HEALTH SERVICES.**

1.9 (a) A health plan company shall include in all health care provider contracts a
1.10 requirement that a health care provider that has furnished a preventive health service for
1.11 which there is no patient cost-sharing give prior written notice to the patient and obtain
1.12 patient consent, before:

1.13 (1) reclassifying the preventive health service as another service for which patient
1.14 cost-sharing applies; and

1.15 (2) providing additional services for which patient cost-sharing applies, based on
1.16 the results of the preventive health service.

1.17 The patient notice may be oral, if this is documented in the patient record and the
1.18 reclassified or additional service is to be provided during the same office visit at which the
1.19 preventive service was furnished.

1.20 (b) For purposes of this section, "health care provider" has the meaning provided
1.21 in section 62J.03, subdivision 8.

1.22 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to health
1.23 care provider contracts entered into or renewed on or after that date.

2.1 Sec. 2. [214.122] PROVISION OF NOTICE.

2.2 Subdivision 1. **Applicability.** For purposes of this section, "board" means the Board
2.3 of Medical Practice, Board of Nursing, Board of Chiropractic Examiners, Board of
2.4 Optometry, and Board of Dentistry.

2.5 Subd. 2. **Provision of notice required.** A board shall establish, as grounds for
2.6 disciplinary action, failure by a licensee, who has furnished a preventive health service
2.7 for which there is no cost-sharing, to give prior written notice to the patient and obtain
2.8 patient consent, before:

2.9 (1) reclassifying the preventive health service as another health service for which
2.10 patient cost-sharing applies; and

2.11 (2) providing additional services for which patient cost-sharing applies, based on
2.12 the results of the preventive health service.

2.13 The patient notice may be oral, if this is documented in the patient record and the
2.14 reclassified or additional service is to be provided during the same office visit at which the
2.15 preventive service was furnished.

2.16 **EFFECTIVE DATE.** This section is effective August 1, 2014.