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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3537

03/23/2016 Authored by Albright

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health care; seeking federal waiver authority; permitting certain
1.3 individuals and families a choice of enrollment in medical assistance,
1.4 MinnesotaCare, or a qualified health plan; amending Minnesota Statutes 2014,
1.5 section 256L.04, subdivisions 1, 7, 14; Minnesota Statutes 2015 Supplement,
1.6 section 256L.04, subdivision 1c.

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

1.8 Section 1. Minnesota Statutes 2014, section 256L.04, subdivision 1, is amended to read:

1.9 Subdivision 1. **Families with children.** Families with children with family income
1.10 ~~above 133 percent of the federal poverty guidelines and~~ equal to or less than 200 percent
1.11 of the federal poverty guidelines for the applicable family size shall be eligible for
1.12 MinnesotaCare according to this section. All other provisions of sections 256L.01 to
1.13 256L.18 shall apply unless otherwise specified. Children under age 19 with family
1.14 income at or below 200 percent of the federal poverty guidelines and who are ineligible
1.15 for medical assistance by sole reason of the application of federal household composition
1.16 rules for medical assistance are eligible for MinnesotaCare.

1.17 **EFFECTIVE DATE.** This section is effective upon federal approval, but not before
1.18 July 1, 2017. The commissioner of human services shall notify the revisor of statutes
1.19 once federal approval is obtained.

1.20 Sec. 2. Minnesota Statutes 2015 Supplement, section 256L.04, subdivision 1c, is
1.21 amended to read:

1.22 Subd. 1c. **General requirements.** To be eligible for MinnesotaCare, a person must
1.23 meet the eligibility requirements of this section. ~~A person eligible for MinnesotaCare~~
1.24 ~~shall not be considered a qualified individual under section 1312 of the Affordable Care~~

2.1 ~~Act, and is not eligible for enrollment in a qualified health plan offered through MNsure~~
2.2 ~~under chapter 62V.~~

2.3 **EFFECTIVE DATE.** This section is effective upon federal approval, but not before
2.4 July 1, 2017. The commissioner of human services shall notify the revisor of statutes
2.5 once federal approval is obtained.

2.6 Sec. 3. Minnesota Statutes 2014, section 256L.04, subdivision 7, is amended to read:

2.7 Subd. 7. **Single adults and households with no children.** The definition of
2.8 eligible persons includes all individuals and families with no children who have incomes
2.9 that are ~~above 133 percent and equal to or~~ less than 200 percent of the federal poverty
2.10 guidelines for the applicable family size.

2.11 **EFFECTIVE DATE.** This section is effective upon federal approval, but not before
2.12 July 1, 2017. The commissioner of human services shall notify the revisor of statutes
2.13 once federal approval is obtained.

2.14 Sec. 4. Minnesota Statutes 2014, section 256L.04, subdivision 14, is amended to read:

2.15 Subd. 14. **Coordination with medical assistance.** ~~(a) Individuals eligible for~~
2.16 ~~medical assistance under chapter 256B are not eligible for MinnesotaCare under this~~
2.17 ~~section.~~

2.18 ~~(b)~~ The commissioner shall coordinate eligibility and coverage to ensure that
2.19 individuals transitioning between medical assistance and MinnesotaCare have seamless
2.20 eligibility and access to health care services.

2.21 **EFFECTIVE DATE.** This section is effective upon federal approval, but not before
2.22 July 1, 2017. The commissioner of human services shall notify the revisor of statutes
2.23 once federal approval is obtained.

2.24 Sec. 5. **FEDERAL WAIVER REQUEST.**

2.25 (a) The commissioner of human services shall seek all necessary federal waivers to
2.26 permit families with children and individuals who may be eligible for medical assistance
2.27 or MinnesotaCare to choose to enroll in medical assistance, MinnesotaCare, or a qualified
2.28 health plan as follows:

2.29 (1) families with children and individuals identified in Minnesota Statutes, section
2.30 256B.056, subdivision 1a, paragraph (b), who are eligible for medical assistance may
2.31 choose to enroll in medical assistance, MinnesotaCare, or a qualified health plan through

3.1 MNsure with the ability to access applicable premium tax credits under Code of Federal
3.2 Regulations, title 26, section 1.36B-2; and

3.3 (2) families with children and individuals who are eligible for MinnesotaCare under
3.4 Minnesota Statutes, chapter 256L, may choose to enroll in MinnesotaCare or in a qualified
3.5 health plan offered through MNsure with the ability to access applicable premium tax
3.6 credits under Code of Federal Regulations, title 26, section 1.36B-2.

3.7 (b) A family with children or an individual who chooses to enroll in either
3.8 MinnesotaCare or a qualified health plan shall be responsible for all applicable premiums
3.9 and cost-sharing obligations for that program or particular qualified health plan.

3.10 (c) The commissioner shall notify the governor and legislature of any federal
3.11 decision or action related to this waiver request.

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