

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 1942

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DATE
03/04/2019

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Introduction and first reading
 Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to health care; prohibiting health insurance exclusion for prior medical
- 1.3 conditions.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. **ELIGIBILITY FOR HEALTH INSURANCE COVERAGE.**
- 1.6 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
- 1.7 the meanings given.
- 1.8 (b) "Health carrier" has the meaning given in Minnesota Statutes, section 62A.011,
- 1.9 subdivision 2.
- 1.10 (c) "Repeal" means a federal legislative repeal, invalidation by a federal court, or
- 1.11 substantial change from a federal policy change or other action that nullifies essential
- 1.12 provisions of the underlying law.
- 1.13 Subd. 2. Prohibiting exclusion. Notwithstanding any other law, if United States Code,
- 1.14 title 42, section 300gg-3, relating to the prohibition of preexisting condition exclusion, is
- 1.15 repealed, any health carrier that issues, sells, renews, or offers health insurance coverage
- 1.16 in Minnesota is prohibited from denying coverage based on any prior medical condition
- 1.17 from the effective date of the repeal of United States Code, title 42, section 300gg-3, to the
- 1.18 end of the calendar year following a complete legislative session after the effective date of
- 1.19 the repeal, unless the legislature provides otherwise. The commissioner of commerce must
- 1.20 (1) determine whether United States Code, title 42, section 300gg-3, has been repealed, (2)
- 1.21 determine the date the repeal is effective, and (3) notify the chairs and ranking minority

2.1 members of the legislative committees with jurisdiction over health insurance of the date
2.2 the repeal is effective and the health carriers affected by the requirement.

2.3 **EFFECTIVE DATE.** This section is effective for health plans issued on or after the
2.4 date that the commissioner of commerce determines that United States Code, title 42, section
2.5 300gg-3, is repealed.