

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 365

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DATE	D-PG	OFFICIAL STATUS
01/28/2021	178	Introduction and first reading Referred to Commerce and Consumer Protection Finance and Policy
02/04/2021	258	Authors added Franzen; Wiklund; Draheim
02/08/2021	288	Author added Housley See SF3472

1.1 A bill for an act

1.2 relating to insurance; requiring individual and small group health plan offerings

1.3 to include a predeductible, flat co-pay on prescription drug option; amending

1.4 Minnesota Statutes 2020, section 62Q.81, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 62Q.81, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 6. Prescription drug benefits. (a) A health plan company that offers individual

1.9 health plans must ensure that no fewer than 25 percent of the individual health plans the

1.10 company offers in each geographic area that the health plan company services at each level

1.11 of coverage described in subdivision 1, paragraph (b), clause (3), applies a predeductible,

1.12 flat-dollar amount co-payment structure to the entire drug benefit, including all tiers.

1.13 (b) A health plan company that offers small group health plans must ensure that no fewer

1.14 than 25 percent of small group health plans the company offers in each geographic area that

1.15 the health plan company services at each level of coverage described in subdivision 1,

1.16 paragraph (b), clause (3), applies a predeductible, flat-dollar amount co-payment structure

1.17 to the entire drug benefit, including all tiers.

1.18 (c) The highest allowable co-payment for the highest cost drug tier for health plans

1.19 offered pursuant to this subdivision must be no greater than 1/12 of the plan's out-of-pocket

1.20 maximum for an individual.

1.21 (d) The flat-dollar amount co-payment tier structure for prescription drugs under this

1.22 subdivision must be graduated and proportionate.

- 2.1 (e) All individual and small group health plans offered pursuant to this subdivision must
- 2.2 be:
- 2.3 (1) clearly and appropriately named to aid the purchaser in the selection process;
- 2.4 (2) marketed in the same manner as other health plans offered by the health plan company;
- 2.5 and
- 2.6 (3) offered for purchase to any individual or small group.
- 2.7 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to individual
- 2.8 and small group health plans offered, issued, or renewed on or after that date.