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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. **4270**

03/28/2018 Authored by Loonan  
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act  
1.2 relating to insurance; regulating health care policy rates; requiring a living will or  
1.3 health care directive discount; proposing coding for new law in Minnesota Statutes,  
1.4 chapter 62A.

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

1.6 Section 1. **[62A.026] LIVING WILL AND HEALTH CARE DIRECTIVE DISCOUNT.**

1.7 Subdivision 1. **Required discount.** A health carrier that issues health care policies and  
1.8 certificates shall provide a premium discount of not less than five percent for each insured  
1.9 adult who has executed a living will that complies with section 145B.03 or a health care  
1.10 directive that complies with section 145C.03. The discount must apply to all coverages for  
1.11 all policy periods beginning within the year following the execution of the living will or  
1.12 health care directive. The commissioner of commerce shall approve the discount as part of  
1.13 the health carrier's rate filing.

1.14 Subd. 2. **Annual required filing.** Each insured adult eligible to receive the discount in  
1.15 subdivision 1 shall file annually with the health carrier an affidavit verifying the execution  
1.16 of the living will or health care directive upon which the discount in subdivision 1 is based.  
1.17 The affidavit must be filed within 30 days of the anniversary date of the policy.

1.18 Subd. 3. **Definitions.** For purposes of this section, (1) "health care policy" or "health  
1.19 care certificate" is a health plan as defined in section 62A.011; and (2) "health carrier" has  
1.20 the meaning given in section 62A.011 and includes all health carriers delivering or issuing  
1.21 for delivery health care policies or certificates in this state or offering these policies or  
1.22 certificates to residents of this state.