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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1280

02/18/2021

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

1.1 A bill for an act  
1.2 relating to health insurance; requiring providers to charge enrollees the negotiated  
1.3 provider payment; proposing coding for new law in Minnesota Statutes, chapter  
1.4 62Q.

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

1.6 Section 1. 62Q.495 PAYMENT FOR DENIED COVERED SERVICES.

1.7 (a) If a health plan company denies coverage for a health care service that is a covered  
1.8 benefit under an enrollee's health plan for procedural reasons, including but not limited to  
1.9 failure to receive prior authorization, the provider may not charge the enrollee for the denied  
1.10 service more than the negotiated provider payment.

1.11 (b) Any amount paid by the enrollee to a provider in accordance with paragraph (a) shall  
1.12 be counted toward any applicable deductible amount for which the enrollee is responsible  
1.13 under the enrollee's health plan.

1.14 (c) Nothing in this section requires a health plan company to pay for services provided  
1.15 by an out-of-network provider unless required under the terms of the enrollee's health plan,  
1.16 or to provide coverage for services not covered under the enrollee's health plan.

1.17 (d) For purposes of this section, "negotiated provider payment" means the payment the  
1.18 provider agrees to accept under the provider contract entered into by the provider and the  
1.19 health plan company for health care services provided by the provider to an enrollee covered  
1.20 by the health plan.