

CHAPTER 62D

HEALTH MAINTENANCE ACT OF 1973

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62D.02 DEFINITIONS.

[For text of subds 1 to 6, see M.S.1980]

Subd. 7. "Comprehensive health maintenance services" means a set of comprehensive health services which the enrollees might reasonably require to be maintained in good health including as a minimum, but not limited to, emergency care, inpatient hospital and physician care, outpatient health services and preventive health services. Elective, induced abortion, except as medically necessary to prevent the death of the mother, whether performed in a hospital, other abortion facility or the office of a physician, shall not be mandatory for any health maintenance organization.

[For text of subds 8 to 10, see M.S.1980]

History: 1981 c 122 s 1

62D.20 RULES.

The commissioner of health may, pursuant to chapter 15, promulgate such reasonable rules as are necessary or proper to carry out the provisions of sections 62D.01 to 62D.29. Included among such regulations shall be those which provide minimum requirements for the provision of comprehensive health maintenance services, as defined in section 62D.02, subdivision 7, and reasonable exclusions therefrom. Nothing in such rules shall force or require a health maintenance organization to provide elective, induced abortions, except as medically necessary to prevent the death of the mother, whether performed in a hospital, other abortion facility, or the office of a physician; the rules shall provide every health maintenance organization the option of excluding or including elective, induced abortions, except as medically necessary to prevent the death of the mother, as part of its comprehensive health maintenance services.

History: 1981 c 122 s 2

62D.22 STATUTORY CONSTRUCTION AND RELATIONSHIP TO OTHER LAWS.

[For text of subds 1 to 4, see M.S.1980]

Subd. 5. Except as otherwise provided in sections 62D.01 to 62D.29, and except as they eliminate elective, induced abortions, wherever performed, from health or maternity benefits, provisions of the insurance laws and provisions of nonprofit health service plan corporation laws shall not be applicable to any health maintenance organization granted a certificate of authority under sections 62D.01 to 62D.29.

Subd. 6. Every health maintenance organization shall be subject to the certificate of need act, sections 145.832 to 145.845 on the same basis as other persons.

[For text of subds 7 to 9, see M.S.1980]

History: 1981 c 122 s 3; 1Sp1981 c 4 art 1 s 50

62D.28 ELIGIBILITY FOR ASSISTANCE.

[For text of subd 1, see M.S.1980]

Subd. 2. The area for planning and the proposed service area of the health maintenance organization must have insufficient availability of primary health care resources or a substantial population of medically unserved or underserved individuals, as determined by the commissioner of health. A health systems agency, as defined in section 145.833, shall provide technical assistance to the commissioner of health in identifying areas with demographic and geographic health needs.

Subd. 3. The planning organization seeking financial assistance must be a Minnesota nonprofit corporation having a board of directors with a majority composed of health care consumers from the proposed service area, but with additional representation of existing health interests in the area including health providers.

The organization shall cooperate with any health systems agency designated pursuant to section 145.833, subdivision 7, and with other health care providers in the proposed area to be served by the organization in programs or studies for:

(a) Determining and assessing the ongoing health needs of the community, formulating a program to meet such needs, including, but not limited to, an identification of private and public funds which may be available for this purpose;

(b) Coordinating existing health activities where appropriate, and establishing better utilization of existing health facilities, programs, and services, with particular emphasis on health manpower training projects in the area including those for local community residents;

(c) Laying the foundation for a community health maintenance organization; and

(d) Promoting development and expansion of preventive and ambulatory, outpatient services with the objective of replacing crisis medicine with an integrated, comprehensive system of health care.

History: 1Sp1981 c 4 art 1 s 54,55