62D.095 ENROLLEE COST SHARING.

Subdivision 1. **General application.** A health maintenance contract may contain enrollee cost-sharing provisions as specified in this section. Co-payment and deductible provisions in a group contract must not discriminate on the basis of age, sex, race, disability, economic status, or length of enrollment in the health plan. During an open enrollment period in which all offered health plans fully participate without any underwriting restrictions, co-payment and deductible provisions must not discriminate on the basis of preexisting health status.

Subd. 2. **Co-payments.** A health maintenance contract may impose a co-payment and coinsurance consistent with the provisions of the Affordable Care Act as defined under section 62A.011, subdivision 1a, and for items and services that are not preventive items and services.

Subd. 3. **Deductibles.** A health maintenance contract must not impose a deductible for preventive items and services.

Subd. 4. **Annual out-of-pocket maximums.** A health maintenance contract may impose an annual out-of-pocket maximum consistent with the provisions of the Affordable Care Act as defined under section 62A.011, subdivision 1a.

Subd. 5. **Exceptions.** Co-payments or deductibles must not be imposed on preventive items and services.

Subd. 6. **Public programs.** This section does not apply to the prepaid medical assistance program, the MinnesotaCare program, the federal Medicare program, or the health plans provided through any of those programs.

History: *2002 c 387 s 3; 1Sp2003 c 14 art 7 s 8,9; 2013 c 84 art 1 s 35; 2023 c 57 art 2 s 17-19*