243.255 PRIVATE INSURANCE POLICIES; SUBROGATION.

Subdivision 1. **Definitions.** As used in this section:

(a) "commissioner" means the commissioner of corrections;

(b) "inmate" means a person who has been sentenced to incarceration in a state or local correctional facility, including persons committed in accordance with section 631.425 or released for employment under section 241.26; and

(c) "private insurance coverage" means coverage for medical care or services under any insurance plan regulated by chapter 62A, 62C, 62D, 64B, or 65B. Private insurance coverage also includes any self-insurance plan providing medical care or services.

Subd. 2. **Subrogation rights.** When the commissioner or a county agency provides medical care or services pursuant to section 241.74, subdivision 1, or any rule adopted under it to any inmate having private insurance coverage, the commissioner or county agency shall be subrogated, to the extent of the cost of services provided, to any rights the inmate may have under the terms of any private insurance coverage. This provision supersedes any inconsistent policy provision.

Subd. 3. **Civil action.** The county attorney may institute a civil action against the carrier of the private insurance coverage to recover under this section on behalf of the county agency.

Subd. 4. **Policy exclusions prohibited.** The provisions of section 62A.044 apply to this section.

History: *1988 c 656 s 5; 2026 c 97 art 5 s 9*