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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4140

03/04/2020 Authored by Cantrell
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to health care; modifying the coverage for unauthorized provider services
1.3 when an enrollee has a reasonable expectation that the provider is authorized;
1.4 amending Minnesota Statutes 2018, section 62Q.556, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2018, section 62Q.556, subdivision 1, is amended to read:

1.7 Subdivision 1. Unauthorized provider services. (a) Except as provided in paragraph
1.8 (c), unauthorized provider services occur when an enrollee receives services:

1.9 (1) from a nonparticipating provider at a participating hospital or ambulatory surgical
1.10 center, when the services are rendered:

1.11 (i) due to the unavailability of a participating provider;

1.12 (ii) by a nonparticipating provider without the enrollee's knowledge; or

1.13 (iii) due to the need for unforeseen services arising at the time the services are being
1.14 rendered; or

1.15 (2) from a participating provider that sends a specimen taken from the enrollee in the
1.16 participating provider's practice setting to a nonparticipating laboratory, pathologist, or other
1.17 medical testing facility; or

1.18 (3) from a nonparticipating provider, hospital, or ambulatory surgical center when the
1.19 enrollee has a reasonable expectation that the provider, hospital, or ambulatory surgical
1.20 center is an authorized or participating provider.

2.1 (b) Unauthorized provider services do not include emergency services as defined in
2.2 section 62Q.55, subdivision 3.

2.3 (c) The services described in paragraph (a), clause (2), are not unauthorized provider
2.4 services if the enrollee gives advance written consent to the provider acknowledging that
2.5 the use of a provider, or the services to be rendered, may result in costs not covered by the
2.6 health plan. The services described in paragraph (a), clause (3), are not unauthorized provider
2.7 services if the enrollee was provided written notice by the enrollee's health plan company
2.8 prior to receiving any services from the provider, hospital, or ambulatory surgical center
2.9 stating that the provider, hospital, or ambulatory surgical center is not a participating provider,
2.10 and that any services received may result in costs not being covered by the enrollee's health
2.11 plan.