

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 1037

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DATE
02/01/2023

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565 Introduction and first reading
Referred to Commerce and Consumer Protection

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to insurance; requiring the commissioner of commerce to defray costs to
1.3 health plan companies for additional benefits; amending Minnesota Statutes 2022,
1.4 section 62J.26, subdivision 4, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 62J.26, subdivision 4, is amended to read:

1.7 Subd. 4. **Sources of funding.** (a) The commissioner shall not use any funds for purposes
1.8 of ~~this section~~ subdivisions 1 to 3 other than as provided in this subdivision or as specified
1.9 in an appropriation.

1.10 (b) The commissioner may seek and accept funding from sources other than the state to
1.11 pay for evaluations under this section to supplement or replace state appropriations. Any
1.12 money received under this paragraph must be deposited in the state treasury, credited to a
1.13 separate account for this purpose in the special revenue fund, and is appropriated to the
1.14 commissioner for purposes of this section.

1.15 (c) If an evaluation is required under this section, the commissioner may use for purposes
1.16 of the evaluation:

1.17 (1) any funds appropriated to the commissioner specifically for purposes of this section;
1.18 or

1.19 (2) funds available under paragraph (b), if use of the funds for evaluation of that mandated
1.20 health benefit proposal is consistent with any restrictions imposed by the source of the funds.

1.21 (d) The commissioner must ensure that the source of the funding has no influence on
1.22 the process or outcome of the evaluation.

2.1 Sec. 2. Minnesota Statutes 2022, section 62J.26, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 6. Defrayal of cost. If an evaluation concludes that the proposal increases
2.4 premiums, the commissioner must:

2.5 (1) upon passage of the law, notify health plan companies of the change to benefits and
2.6 request a report regarding costs attributable to the change in benefit. A health plan company's
2.7 calculation of the costs must be:

2.8 (i) based on an analysis performed in accordance with generally accepted actuarial
2.9 principles and methodologies; and

2.10 (ii) conducted by a member of the American Academy of Actuaries; and

2.11 (2) within 60 days of the date the statement is received from the health plan company,
2.12 pay the health plan company the amount requested to defray the cost of the change in benefit.