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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3730**

March 23, 2010

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

1.1 A bill for an act
1.2 relating to health; requiring health care providers to participate in the federal
1.3 TRICARE program as a condition of participating in state and public health care
1.4 programs; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

1.6 Section 1. [62J.27] PROVIDER PARTICIPATION IN TRICARE.

1.7 Subdivision 1. **Participation required.** A vendor of medical care, as defined
1.8 in section 256B.02, subdivision 7, must participate as a provider or contractor in the
1.9 federal TRICARE program, as a condition of participating as a provider or contractor in:
1.10 (1) health insurance plans and programs for state employees established under section
1.11 43A.18; (2) the public employees insurance program under section 43A.316; (3) health
1.12 insurance plans offered to local statutory or home rule charter city, county, and school
1.13 district employees; (4) the workers' compensation program under section 176.135; (5)
1.14 insurance plans provided through the Minnesota Comprehensive Health Association under
1.15 sections 62E.01 to 62E.19; (6) medical assistance under chapter 256B; (7) MinnesotaCare
1.16 under chapter 256L; and (8) general assistance medical care under chapter 256D.

1.17 Subd. 2. **Participation defined; exemption.** For purposes of this section,
1.18 participation in TRICARE means that the provider accepts new TRICARE patients. A
1.19 provider is exempt from this section, if the provider is no longer accepting new patients
1.20 under any of the programs listed in subdivision 1.

1.21 Subd. 3. **Agency duties.** The commissioner of health shall obtain a listing of
1.22 TRICARE providers and contractors from the TRICARE administration, and shall provide
1.23 this list on a quarterly basis to the commissioners of management and budget, human
1.24 services, labor and industry, and commerce. Each of the commissioners shall develop and

- 2.1 implement procedures to exclude as participating providers in the program or programs
- 2.2 under their jurisdiction those providers who do not participate in the TRICARE program
- 2.3 and who are not exempt under subdivision 2.