

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2028

(SENATE AUTHORS: UTKE, Latz, Abeler, Isaacson and Lourey)

DATE	D-PG	OFFICIAL STATUS
03/13/2017	1361	Introduction and first reading
		Referred to Commerce and Consumer Protection Finance and Policy
03/29/2018	7055a	Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections

1.1 A bill for an act
1.2 relating to insurance; establishing a mental health and substance use disorder work
1.3 group; requiring a report.

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

1.5 Section 1. **MENTAL HEALTH AND SUBSTANCE USE DISORDER WORK**
1.6 **GROUP.**

1.7 **Subdivision 1. Membership.** (a) **The mental health and substance use disorder work**
1.8 **group shall include the following:**

1.9 **(1) two members representing health plan companies that offer health plans in the**
1.10 **individual market, appointed by the commissioner of commerce;**

1.11 **(2) two members representing health plan companies that offer health plans in the group**
1.12 **markets, appointed by the commissioner of commerce;**

1.13 **(3) the commissioner of health;**

1.14 **(4) the commissioner of commerce;**

1.15 **(5) the commissioner of management and budget;**

1.16 **(6) two members representing employers;**

1.17 **(7) two members who are providers representing the mental health and substance use**
1.18 **disorder community, appointed by the commissioner of commerce; and**

1.19 **(8) two members who are advocates representing the mental health and substance use**
1.20 **disorder community, appointed by the commissioner of commerce.**

2.1 (b) Members of the work group must have expertise in standards for evidence-based
2.2 care, benefit design, or development or knowledge relating to the analysis of the mental
2.3 health and substance use disorder parity under federal and state law, including nonquantitative
2.4 treatment limitations.

2.5 Subd. 2. **First appointments; first meeting; chair.** Appointing authorities shall appoint
2.6 members to the work group by July 1, 2018. The commissioner of commerce or a designee
2.7 shall convene the first meeting of the work group on or before August 1, 2018. The
2.8 commissioner of commerce shall act as chair.

2.9 Subd. 3. **Administrative support.** The commissioners of health and commerce shall
2.10 provide administrative support and meeting space for the work group.

2.11 Subd. 4. **Duties.** The mental health and substance use disorder work group shall have
2.12 the following duties:

2.13 (1) develop recommendations on the most effective approach to determine and
2.14 demonstrate mental health and substance use disorder parity, in accordance with state and
2.15 federal law for individual and group health plans offered in Minnesota; and

2.16 (2) report recommendations to the legislature.

2.17 Subd. 5. **Report.** (a) By February 15, 2019, the commissioner of commerce shall submit
2.18 a report of the recommendations of the work group to the chairs and ranking minority
2.19 members of the legislative committees with jurisdiction over health care policy and finance.

2.20 (b) The report must include the following:

2.21 (1) a summary of completed state enforcement actions relating to individual and group
2.22 health plans offered in Minnesota during the preceding 12-month period regarding
2.23 compliance with parity in mental health and substance use disorders benefits in accordance
2.24 with state and federal law, and summarize the results of completed state enforcement actions.
2.25 Data that is protected under state or federal law as nonpublic, private, or confidential shall
2.26 remain nonpublic, private, or confidential. This summary must include:

2.27 (i) the number of formal enforcement actions taken;

2.28 (ii) the benefit classifications examined in each enforcement action; and

2.29 (iii) the subject matter of each enforcement action, including quantitative and
2.30 nonquantitative treatment limitations;

2.31 (2) detailed information about any regulatory actions the commissioners of health or
2.32 commerce have taken as a result of a completed state enforcement action pertaining to health

3.1 plan compliance with Minnesota Statutes, sections 62Q.47 and 62Q.53, and United States
3.2 Code, title 42, section 18031(j); and

3.3 (3) a description of the work group's recommendations on educating the public about
3.4 alcoholism, mental health, or chemical dependency parity protections under state and federal
3.5 law.

3.6 (c) In developing the report and recommendations, the work group may consult with
3.7 the Substance Abuse and Mental Health Services Agency and the National Association of
3.8 Insurance Commissioners for the latest developments on evaluation of mental health and
3.9 substance use disorder parity.

3.10 (d) The report must be written in nontechnical, readily understandable language and be
3.11 made available to the public by posting the report on the Web sites for the Department of
3.12 Health and Department of Commerce. The work group may make the report publicly
3.13 available in additional ways at its discretion.

3.14 (e) The report must include any draft legislation necessary to implement the
3.15 recommendations of the work group.

3.16 (f) The report must include recommendations on the most effective approach to determine
3.17 and demonstrate mental health and substance use disorder parity, in accordance with state
3.18 and federal law for individual and group health plans offered in Minnesota.

3.19 Subd. 6. **Expiration.** The mental health and substance use disorder work group expires
3.20 February 16, 2019, or the day after submitting the report required in this section, whichever
3.21 is earlier.