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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 317

January 25, 2007

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

1.1 A bill for an act
1.2 relating to taxation; repealing the MinnesotaCare provider taxes; amending
1.3 Minnesota Statutes 2006, sections 62J.041, subdivision 1; 214.16, subdivisions
1.4 2, 3; 270B.14, subdivision 1; repealing Minnesota Statutes 2006, sections
1.5 13.4967, subdivision 3; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56;
1.6 295.57; 295.58; 295.582; 295.59.

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

1.8 Section 1. Minnesota Statutes 2006, section 62J.041, subdivision 1, is amended to read:

1.9 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions
1.10 apply.

1.11 (b) "Health plan company" has the definition provided in section 62Q.01.

1.12 (c) "Total expenditures" means incurred claims or expenditures on health care
1.13 services, administrative expenses, charitable contributions, and all other payments made
1.14 by health plan companies out of premium revenues.

1.15 (d) "Net expenditures" means total expenditures minus exempted taxes and
1.16 assessments and payments or allocations made to establish or maintain reserves.

1.17 (e) "Exempted taxes and assessments" means direct payments for taxes to
1.18 government agencies, contributions to the Minnesota Comprehensive Health Association,
1.19 the medical assistance provider's surcharge under section 256.9657, the MinnesotaCare
1.20 provider tax under Minnesota Statutes 2006, section 295.52, assessments by the Health
1.21 Coverage Reinsurance Association, assessments by the Minnesota Life and Health
1.22 Insurance Guaranty Association, assessments by the Minnesota Risk Adjustment
1.23 Association, and any new assessments imposed by federal or state law.

1.24 (f) "Consumer cost-sharing or subscriber liability" means enrollee coinsurance,
1.25 co-payment, deductible payments, and amounts in excess of benefit plan maximums.

2.1 Sec. 2. Minnesota Statutes 2006, section 214.16, subdivision 2, is amended to read:

2.2 Subd. 2. **Board cooperation required.** The board shall assist the commissioner of
2.3 health in data collection activities required under Laws 1992, chapter 549, article 7, ~~and~~
2.4 ~~shall assist the commissioner of revenue in activities related to collection of the health~~
2.5 ~~care provider tax required under Laws 1992, chapter 549, article 9.~~ Upon the request of
2.6 the commissioner ~~or the commissioner of revenue~~, the board shall make available names
2.7 and addresses of current licensees and provide other information or assistance as needed.

2.8 Sec. 3. Minnesota Statutes 2006, section 214.16, subdivision 3, is amended to read:

2.9 Subd. 3. **Grounds for disciplinary action.** The board shall take disciplinary action,
2.10 which may include license revocation, against a regulated person for:

2.11 (1) intentional failure to provide the commissioner of health with the data required
2.12 under chapter 62J; and

2.13 ~~(2) intentional failure to provide the commissioner of revenue with data on gross~~
2.14 ~~revenue and other information required for the commissioner to implement sections~~
2.15 ~~295.50 to 295.58;~~

2.16 ~~(3) intentional failure to pay the health care provider tax required under section~~
2.17 ~~295.52; and~~

2.18 ~~(4) entering into a contract or arrangement that is prohibited under sections 62J.70~~
2.19 ~~to 62J.73.~~

2.20 Sec. 4. Minnesota Statutes 2006, section 270B.14, subdivision 1, is amended to read:

2.21 Subdivision 1. **Disclosure to commissioner of human services.** (a) On the request
2.22 of the commissioner of human services, the commissioner shall disclose return information
2.23 regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to
2.24 the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

2.25 (b) Data that may be disclosed are limited to data relating to the identity,
2.26 whereabouts, employment, income, and property of a person owing or alleged to be owing
2.27 an obligation of child support.

2.28 (c) The commissioner of human services may request data only for the purposes of
2.29 carrying out the child support enforcement program and to assist in the location of parents
2.30 who have, or appear to have, deserted their children. Data received may be used only
2.31 as set forth in section 256.978.

2.32 (d) The commissioner shall provide the records and information necessary to
2.33 administer the supplemental housing allowance to the commissioner of human services.

3.1 (e) At the request of the commissioner of human services, the commissioner of
 3.2 revenue shall electronically match the Social Security numbers and names of participants
 3.3 in the telephone assistance plan operated under sections 237.69 to 237.711, with those of
 3.4 property tax refund filers, and determine whether each participant's household income is
 3.5 within the eligibility standards for the telephone assistance plan.

3.6 (f) The commissioner may provide records and information collected under
 3.7 Minnesota Statutes 2006, sections 295.50 to 295.59 to the commissioner of human
 3.8 services for purposes of the Medicaid Voluntary Contribution and Provider-Specific Tax
 3.9 Amendments of 1991, Public Law 102-234. Upon the written agreement by the United
 3.10 States Department of Health and Human Services to maintain the confidentiality of the
 3.11 data, the commissioner may provide records and information collected under Minnesota
 3.12 Statutes 2006, sections 295.50 to 295.59 to the Centers for Medicare and Medicaid
 3.13 Services section of the United States Department of Health and Human Services for
 3.14 purposes of meeting federal reporting requirements.

3.15 (g) The commissioner may provide records and information to the commissioner of
 3.16 human services as necessary to administer the early refund of refundable tax credits.

3.17 (h) The commissioner may disclose information to the commissioner of human
 3.18 services necessary to verify income for eligibility and premium payment under the
 3.19 MinnesotaCare program, under section 256L.05, subdivision 2.

3.20 (i) The commissioner may disclose information to the commissioner of human
 3.21 services necessary to verify whether applicants or recipients for the Minnesota family
 3.22 investment program, general assistance, food support, and Minnesota supplemental aid
 3.23 program have claimed refundable tax credits under chapter 290 and the property tax
 3.24 refund under chapter 290A, and the amounts of the credits.

3.25 **Sec. 5. REPEALER.**

3.26 Minnesota Statutes 2006, sections 13.4967, subdivision 3; 295.50; 295.51; 295.52;
 3.27 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59, are repealed.

3.28 **EFFECTIVE DATE.** This section is effective for gross revenues received on or
 3.29 after August 1, 2007.