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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 3534

March 9, 2010

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to health insurance; requiring the commissioner of commerce to hold a
1.3 public hearing before approval of certain rate increases; amending Minnesota
1.4 Statutes 2008, section 62A.02, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2008, section 62A.02, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 5b. **Public hearing; certain rate increases.** (a) Notwithstanding subdivisions
1.9 2, 3, and 3a, no rate increase over eight percent may be approved or deemed approved
1.10 by the commissioner until a public hearing on the proposed rate increase has been held
1.11 by the commissioner in accordance with chapter 14. The hearing must be scheduled
1.12 at a location that takes into account the geographical distribution of the customer base
1.13 affected by the rate increase.

1.14 (b) Once the public hearing has been set, the health carrier sponsoring the health
1.15 plan shall notify all affected plan enrollees of the date, time, and location of the hearing.

1.16 (c) The commissioner or the commissioner's designee, and an executive from
1.17 the health carrier sponsoring the applicable health plan, must be available to provide
1.18 testimony at the public hearing.

1.19 (d) The health carrier sponsoring the health plan shall pay all expenses reasonably
1.20 attributable to the public hearing held pursuant to this subdivision. The commissioner shall
1.21 determine the expenses and shall render a bill to the health carrier after the conclusion of
1.22 the hearing. The amount billed must be paid by the health carrier into the state treasury
1.23 within 30 days of presentment. Within 30 days after the date of presentment of any bill as
1.24 required by this subdivision, a health carrier may file with the commissioner objections to

2.1 the bill setting out the grounds upon which it is claimed the bill is excessive, erroneous,
2.2 unlawful, or invalid. The commissioner shall hold a hearing on the objection within 60
2.3 days in accordance with chapter 14.

2.4 Sec. 2. **EFFECTIVE DATE.**

2.5 Section 1 is effective for rate increases due to take effect on or after January 1, 2011.