HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies procedures school districts must follow when billing state health care programs for individual education plan health-related services provided to children covered by MA or MinnesotaCare.

Section

1 **Third party reimbursement.** Amends § 125A.21, subd. 2. A new paragraph (b) requires a school district to provide an initial written notice to the parent or legal representative of children enrolled in MA or MinnesotaCare, who have no other health coverage, of its intent to seek reimbursement from the state health care program for individual education plan (IEP) health-related services.

A new paragraph (c) requires a district to provide the parent or legal representative with annual written notice of: (1) the district's intent to seek reimbursement from the state health care program for the cost of IEP health-related services; (2) the right to request a copy of all records disclosed by the district to any third party; and (3) the right to withdraw consent for record disclosure. Requires this notice to be provided as part of the written notice required by 34 Code of Federal Regulations, part 300.503.

A new paragraph (d) requires districts to obtain annual written informed consent when private coverage is accessed, and to inform the parent or legal representative that refusal to allow access to private coverage does not relieve the district of its responsibility to provide services.

A new paragraph (e) applies all of these provisions to children with a combination of state health care program and private coverage, if the commissioner of human services obtains federal approval to exempt IEP health-related services from the requirement that private health coverage refuse payment before MA can be billed.

A new paragraph (f) repeals the amendments to this subdivision if federal or state government establish lifetime limits, limits for any health care services, cost sharing provisions, or otherwise provide that individual education plan health-related services impact benefits for persons

enrolled in MA or MinnesotaCare. If this repeal occurs, requires districts to obtain informed consent using the procedures that exist under what is now current law.