

1.1 ..... moves to amend H.F. No. 3138, the delete everything amendment  
1.2 (A18-0776), as follows:

1.3 Page 68, after line 4, insert:

1.4 "Sec. 2. Minnesota Statutes 2016, section 62Q.55, subdivision 5, is amended to read:

1.5 Subd. 5. **Coverage restrictions or limitations.** (a) If emergency services are provided  
1.6 by a nonparticipating provider, with or without prior authorization, the health plan company  
1.7 shall not impose coverage restrictions or limitations that are more restrictive than apply to  
1.8 emergency services received from a participating provider. Cost-sharing requirements that  
1.9 apply to emergency services received out-of-network must be the same as the cost-sharing  
1.10 requirements that apply to services received in-network.

1.11 (b) If emergency services are provided by a nonparticipating provider:

1.12 (1) the nonparticipating provider shall not request payment from the enrollee in addition  
1.13 to the applicable cost-sharing requirements authorized under paragraph (a); and

1.14 (2) the enrollee shall be held harmless and not liable for payment to the nonparticipating  
1.15 provider that are in addition to the applicable cost-sharing requirements under paragraph  
1.16 (a).

1.17 (c) A health plan company must attempt to negotiate the reimbursement, less any  
1.18 applicable cost sharing requirements under paragraph (a), for the emergency services from  
1.19 the nonparticipating provider. If a health plan company's and nonparticipating provider's  
1.20 attempts to negotiate reimbursement for the emergency services do not result in a resolution,  
1.21 the health plan company or provider may elect to refer the matter for binding arbitration.  
1.22 The arbitrator must be chosen from the list created under section 62Q.556, subdivision 2,  
1.23 paragraph (c). The arbitrator must consider the information described in section 62Q.556,  
1.24 subdivision 2, paragraph (d), when reaching a decision. A nondisclosure agreement must

2.1 be executed by both parties prior to engaging an arbitrator in accordance with this  
2.2 subdivision. The cost of arbitration must be shared equally between the parties.

2.3 **EFFECTIVE DATE.** This section is effective January 1, 2019, and applies to emergency  
2.4 services provided on or after that date."

2.5 Renumber the sections in sequence and correct the internal references

2.6 Amend the title accordingly