

1.1 moves to amend H.F. No. 1139 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. CAPITATION PAYMENT PAYBACK.

1.4 (a) The commissioner of human services shall determine the total amount paid by the
1.5 Department of Human Services for fee-for-service claims for services covered under
1.6 Minnesota Statutes, section 256B.0625, provided in calendar year 2019 and the amount
1.7 paid for claims for services provided in calendar year 2020. After controlling for factors
1.8 other than utilization, the commissioner shall determine the percentage difference in spending
1.9 for fee-for-service claims between calendar year 2019 and calendar year 2020.

1.10 (b) If the amount paid out in calendar year 2020 for fee-for-service claims was less than
1.11 the amount paid in calendar year 2019, as determined under paragraph (a), the commissioner
1.12 shall require each managed care plan and county-based purchasing plan that was under
1.13 contract with the commissioner to provide services under Minnesota Statutes, section
1.14 256B.69, in calendar year 2020 to pay to the commissioner the greater of:

1.15 (1) an amount equal to the percentage decrease from calendar year 2019 to calendar year
1.16 2020 as calculated in paragraph (a), multiplied against the total medical assistance capitation
1.17 payments received by the plan in calendar year 2020; or

1.18 (2) the amount the managed care plan or county-based purchasing plan is already required
1.19 to pay based on the medical loss ratio requirement as specified in the plan's contract with
1.20 the commissioner.

1.21 If a managed care or county-based purchasing plan is required to pay to the commissioner
1.22 the amount calculated under clause (1), that payment shall be in lieu of any medical loss
1.23 ratio payment required under contract with the commissioner.

2.1 (c) The commissioner shall inform each managed care plan and county-based purchasing
2.2 plan of the amount that the plan is required to pay to the commissioner under paragraph (b)
2.3 by July 1, 2021. The amount owed must be paid to the commissioner by October 1, 2021.
2.4 If the plan disputes the amount specified by the commissioner, the plan must notify the
2.5 commissioner by August 1, 2021, in the manner and using forms specified by the
2.6 commissioner. The plan must submit data satisfactory to the commissioner that demonstrates
2.7 that the amount assessed to the plan by the commissioner is incorrect. The commissioner
2.8 shall make a decision concerning the dispute within 60 days. If the commissioner determines
2.9 that the plan has satisfactorily demonstrated that the amount specified by the commissioner
2.10 to be paid by the plan is incorrect, the commissioner shall adjust the amount accordingly.

2.11 (d) Any amount collected by the commissioner shall be deposited to the general fund."

2.12 Amend the title accordingly