

1.1 moves to amend H.F. No. 5, the first engrossment, as follows:

1.2 Page 1, after line 22, insert:

1.3 "Sec. 2. Minnesota Statutes 2014, section 15A.0815, subdivision 3, is amended to read:

1.4 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision
1.5 shall not exceed 120 percent of the salary of the governor. This limit must be adjusted
1.6 annually on January 1. The new limit must equal the limit for the prior year increased
1.7 by the percentage increase, if any, in the Consumer Price Index for all urban consumers
1.8 from October of the second prior year to October of the immediately prior year. The
1.9 commissioner of management and budget must publish the limit on the department's Web
1.10 site. This subdivision applies to the following positions:

- 1.11 Executive director of Gambling Control Board;
- 1.12 Commissioner, Iron Range Resources and Rehabilitation Board;
- 1.13 Commissioner, Bureau of Mediation Services;
- 1.14 Ombudsman for Mental Health and Developmental Disabilities;
- 1.15 Chair, Metropolitan Council;
- 1.16 Executive Director, MNsure;
- 1.17 School trust lands director;
- 1.18 Executive director of pari-mutuel racing; and
- 1.19 Commissioner, Public Utilities Commission.

1.20 Sec. 3. Minnesota Statutes 2014, section 62A.02, subdivision 2, is amended to read:

1.21 Subd. 2. **Approval.** (a) The health plan form shall not be issued, nor shall any
1.22 application, rider, endorsement, or rate be used in connection with it, until the expiration
1.23 of 60 days after it has been filed unless the commissioner approves it before that time.

1.24 (b) Notwithstanding paragraph (a), a rate filed with respect to a policy of accident and
1.25 sickness insurance as defined in section 62A.01 by an insurer licensed under chapter 60A,
1.26 may be used on or after the date of filing with the commissioner. Rates that are not approved

2.1 or disapproved within the 60-day time period are deemed approved. This paragraph does
 2.2 not apply to Medicare-related coverage as defined in section 62A.3099, subdivision 17.

2.3 (c) Health plans in the individual and small group markets that are not grandfathered
 2.4 plans to be offered outside of MNsure for coverage to begin on or after January 1, 2016,
 2.5 and each January 1 thereafter, must receive rate approval from the commissioner no later
 2.6 than 30 days prior to the beginning of the annual open enrollment period for MNsure.
 2.7 Premium rates for the next calendar year must be made available to the public by the
 2.8 commissioner no later than 30 days prior to the beginning of the annual open enrollment
 2.9 period for MNsure. Once rates are made public by the commissioner, the rates must not
 2.10 change until the next open enrollment period.

2.11 Sec. 4. Minnesota Statutes 2014, section 62A.02, subdivision 8, is amended to read:

2.12 Subd. 8. **Filing by health carriers for purposes of complying with the**
 2.13 **certification requirements of MNsure.** (a) No qualified health plan shall be offered
 2.14 through MNsure until its form and the premium rates pertaining to the form have been
 2.15 approved by the commissioner of commerce or health, as appropriate, and the health plan
 2.16 has been determined to comply with the certification requirements of MNsure in accordance
 2.17 with an agreement between the commissioners of commerce and health and MNsure.

2.18 (b) Qualified health plans to be offered through MNsure for coverage to begin
 2.19 January 1, 2016, and each January thereafter, must satisfy all requirements of paragraph
 2.20 (a) no later than 30 days prior to the beginning of the annual open enrollment period.
 2.21 Premium rates and plan enrollment for the next calendar year must be available to the
 2.22 public through MNsure no later than 30 days prior to the beginning of the annual open
 2.23 enrollment period. Once rates are made public through MNsure, the rates must not change
 2.24 until the next open enrollment period."

2.25 Page 7, strike lines 7 to 34 and insert "The board shall permit all health plans that
 2.26 meet the applicable certification requirements to be offered through MNsure."

2.27 Page 8, line 18, delete the new language and strike the old language

2.28 Page 8, strike lines 19 to 21

2.29 Page 8, line 22, delete "(f)" and insert "(b)"

2.30 Page 8, line 24, delete "(g)" and insert "(c)"

2.31 Page 8, line 27, delete "(h)" and insert "(d)"

2.32 Page 8, after line 32, insert:

2.33 "Sec. 13. Minnesota Statutes 2014, section 62V.05, subdivision 6, is amended to read:

2.34 Subd. 6. **Appeals.** (a) The board may conduct hearings, appoint hearing officers,
 2.35 and recommend final orders related to appeals of any MNsure determinations, except for

3.1 those determinations identified in paragraph (d). An appeal by a health carrier regarding
 3.2 a specific certification or selection determination made by MNsure under subdivision 5
 3.3 must be conducted as a contested case proceeding under chapter 14, with the report or
 3.4 order of the administrative law judge constituting the final decision in the case, subject to
 3.5 judicial review under sections 14.63 to 14.69. For other appeals, the board shall establish
 3.6 hearing processes which provide for a reasonable opportunity to be heard and timely
 3.7 resolution of the appeal and which are consistent with the requirements of federal law and
 3.8 guidance. An appealing party may be represented by legal counsel at these hearings, but
 3.9 this is not a requirement.

3.10 (b) MNsure may establish service-level agreements with state agencies to conduct
 3.11 hearings for appeals. Notwithstanding section 471.59, subdivision 1, a state agency is
 3.12 authorized to enter into service-level agreements for this purpose with MNsure.

3.13 (c) For proceedings under this subdivision, MNsure may be represented by an
 3.14 attorney who is an employee of MNsure.

3.15 (d) This subdivision does not apply to appeals of determinations where a state
 3.16 agency hearing is available under section 256.045.

3.17 Sec. 14. Minnesota Statutes 2014, section 62V.05, is amended by adding a subdivision
 3.18 to read:

3.19 Subd. 11. **Health carrier notification.** MNsure shall provide a health carrier with
 3.20 enrollment information for MNsure enrollees who have selected a qualified health plan
 3.21 that is offered by that health carrier and who have been determined by MNsure to be
 3.22 eligible for qualified health plan coverage. The enrollment information must be sufficient
 3.23 for the health carrier to issue coverage, and must be provided within 48 hours of the
 3.24 determination of eligibility by MNsure.

3.25 Sec. 15. Minnesota Statutes 2014, section 62V.05, is amended by adding a subdivision
 3.26 to read:

3.27 Subd. 12. **Purchase of individual health coverage.** For coverage taking effect on
 3.28 or after January 1, 2016, the MNsure board shall provide members of a household with the
 3.29 option of purchasing individual health coverage through MNsure, and shall apportion any
 3.30 advanced premium tax credit available to a household choosing this option between the
 3.31 separate health plans providing coverage to the household members."

3.32 Page 10, after line 8, insert:

3.33 "Sec. 19. **EXPANDED ACCESS TO THE SMALL BUSINESS HEALTH CARE**
 3.34 **TAX CREDIT.**

4.1 (a) The commissioner of commerce, in consultation with the Board of Directors of
4.2 MNsure and the MNsure Legislative Oversight Committee, shall develop a proposal to
4.3 allow small employers the ability to receive the small business health care tax credit
4.4 when the small employer pays the premiums on behalf of employees enrolled in either a
4.5 qualified health plan offered through a small business health options program (SHOP)
4.6 marketplace or a small group health plan offered outside of the small health options
4.7 program marketplace within MNsure. To be eligible for the tax credit, the small employer
4.8 must meet the requirements under the Affordable Care Act, except that employees may be
4.9 enrolled in a small group health plan product offered outside of MNsure.

4.10 (b) The commissioner shall seek all federal waivers and approvals necessary to
4.11 implement this proposal. The commissioner shall submit a draft proposal to the MNsure
4.12 board and the MNsure Legislative Oversight Committee at least 30 days before submitting
4.13 a final proposal to the federal government, and shall notify the board and Legislative
4.14 Oversight Committee of any federal decision or action received regarding the proposal
4.15 and submitted waiver.

4.16 **EFFECTIVE DATE.** This section is effective the day following final enactment."

4.17 Page 10, line 10, delete "12" and insert "18"

4.18 Renumber the sections in sequence and correct the internal references

4.19 Amend the title accordingly