

Listing of Bills in HF 2128 – Health Omnibus Finance Bill

Article 1 – DHS Health Care Programs

Section	Underlying Bill	Author	Description
1-5	HF 1854, as amended	Bierman	Exempts MA and MinnesotaCare from private sector insurance mandates
6, 14, 15, 27-28, 30	HF 2128, as amended	Liebling	Nonemergency medical transportation – require DHS to contract for the administration of NEMT services under both MA fee-for-service and managed care and repeals the prohibition on using a broker or coordinator (§ 10, 30), allows the use of competitive bidding (§ 15), and makes related changes.
7	HF 2128	Liebling	Allows the commissioner to participate in the development and operation of an encounter alerting service as part of a statewide health information exchange.
8, 31	HF 2128	Liebling	Allow DHS to use more than one base year to set inpatient hospital rates and federally qualified health center (FQHC) and rural health clinic rates.
9, 40, 41, 45, 60	HF 1609, as amended	Liebling	Establishes a directed payment arrangement for Hennepin County Medical Center that includes voluntary intergovernmental transfers and under which a uniform adjustment factor, based on the average commercial payer rate or another factor, is applied to claims submitted to health plans.
10	HF 2128 / HF 8	Liebling	HF 2128 --Clarifies the criteria for disproportionate share hospital payments. (The provision from HF 8 is described later.)
11	HF 2128	Liebling	Extends from 12 to 18 months the time period during which hospitals can appeal base year rate information.
12	HF 2128	Liebling	Includes tribal agencies as recipients of fraud prevention investigation grant funding.
13, 23, 47, 48, 49, 58, 59	HF 2128 (modified)	Liebling	Administration of MA dental services. § 13 and 23 require DHS to contract with a dental administrator beginning January 1, 2023, for MA fee-for-service and managed care and MinnesotaCare. § 47, 49, 58, and 59 sunset critical access dental and other rates. § 47 also sets rates beginning January 1, 2023, at the lower of submitted charges or the first percentile of 2018 charges, and rebases rates every four years. § 48 requires DHS to implement a dental home pilot program.
15, 32, 34	HF 1793	Morrison	Establishes an enhanced MA asthma benefit. § 15 allows competitive bidding for allergen reducing products. § 34 specifies coverage requirements.

Section	Underlying Bill	Author	Description
16, 17, 19, 65	HF 521, amended and modified	Morrison	Extends MA coverage for pregnant women from 60 to 180 days postpartum.
18	HF 2128	Liebling	Links the asset limit for qualified Medicare beneficiaries to the Medicare Part D low income subsidy asset limit, which is indexed annually and over time would exceed the asset limit in current law.
20, 21, 22	HF 1854	Bierman	Modifies the membership and operation of the DHS Health Services Advisory Council.
23	HF 838	Bierman	Expands MA adult dental coverage to include nonsurgical treatment for periodontal disease. (Section also amended by HF 2128; see § 13 description.)
24, 44	HF 2128 / new provision	Liebling	HF 2128 (§ 24): Allows MA to provide a 90-day supply of cost-effective generic and other drugs on the DHS 90-day supply list. New provision (§ 24 and 44): requires 340B covered entities and related pharmacies to report reimbursement from managed care plans and requires managed care plans to report their reimbursement to 340B entities.
25	HF 1854	Bierman	Removes the June 30, 2022, sunset for the DHS Formulary Committee.
26	HF 894	Bernardy	Provides MA coverage for weight loss drugs.
29	HF 2128	Liebling	Allows DHS to provide monthly public transit passes to persons requiring NEMT.
33	HF 1854 / HF 2128	Bierman / Liebling	HF 1854: specifies additional requirements related to the administration of early periodic screening, diagnosis, and treatment (EPSDT) services; HF 2128: allows DHS to contract for the administration of EPSDT outreach services.
35, 55	HF 745	Hornstein	Prohibits MA and MinnesotaCare copayments for drugs used to prevent or treat HIV.
36, 37, 38	HF 1854	Bierman	Expands the membership of the opioid prescribing work group and modifies the operation of the work group.
39	HF 1854	Bierman	Eliminates a requirement that DHS enroll qualified professionals who work for PCA agencies as individual providers.
10, 42, 46, 64	HF 8, modified	Liebling	Prescription drug MA carve-out: § 42 directs DHS to exclude outpatient prescription drugs from MA managed care contracts effective January 1, 2023. § 10 increases the funding available for payment adjustments for hospitals providing high levels of high-cost drugs, and allows a children's hospital to be eligible for this payment adjustment. § 46 provides a rate increase for outpatient and other services for critical access hospitals providing high levels of high-cost or 340B drugs. § 64 requires DHS to study expanding the carve-out to include MinnesotaCare, and expanding the program to include persons with private sector coverage.

Section	Underlying Bill	Author	Description
43	HF 1796, modified	Liebling	Requires DHS to report to the legislature annually on managed care plan mean and median provider reimbursement rates for specified service categories.
50, 51	HF 2128, modified	Liebling	Sets most MA rates for durable medical equipment, prosthetics, orthotics, and supplies at the Medicare rate, eliminates certain special rates, and makes related changes.
52, 53	HF 2136	Richardson	Clarifies the language related to a program providing integrated care for high-risk pregnant women (there is also a rider increasing funding for this program).
54, 56, 57	HF 2128	Liebling	Modifies the statutes governing MinnesotaCare eligibility determination procedures, to reflect federal denial of a state waiver request.
61	New language		Requires DHS to take all actions necessary to maintain current MA and MinnesotaCare policies in the event the Supreme Court reverses the ACA, including seeking federal funding and using state funding.
62	HF 11, 2 nd engrossment, modified	Schultz	Requires DHS to report to the legislature on alternative methods of delivering care and paying providers under MA and MinnesotaCare.
63	HF 1339, modified	Pinto	Exempts payments made under the St. Paul guaranteed income demonstration project from being counted when determining eligibility for certain health and human services programs.
66	HF 11, 2 nd engrossment, modified	Schultz	Requires DHS to develop a proposal for a public option program and report to the legislature by December 15, 2021.
67	HF 2128	Liebling	COVID-related provisions: directs the commissioner to not collect unpaid premiums for a coverage month during the federal public health emergency and to suspend periodic data matching for up to six months following the end of this emergency. Also suspends the annual report on periodic data matching for one year.
68	HF 1854	Bierman	Revisor instruction related to renaming of the Health Services Policy Committee.
69	HF 1854 / HF 2128	Bierman / Liebling	Repealer. Repeals rules related to the EPSDT program (HF 1854). Repeals certain provisions related to NEMT -- advisory committee, single administrative structure, provisions applicable to managed care (HF 2128).

Article 2 – DHS Licensing and Background Studies

Section	Underlying Bill	Author	Description
1-2, 5, 7-18, 20, 22-30, 32, 34-	HF 2128, as amended	Liebling	Governor's Health Omnibus Finance bill – human services licensing and background studies modifications

Section	Underlying Bill	Author	Description
38, 43-44, 46, 48-49			
3-4, 6, 18-21, 31, 33, 39-42, 45, 47	HF 1287 (SF 1558, 3 rd engrossment)	Hollins	Family foster setting background studies and licensing modifications

Article 3 – Health Department

Section	Underlying Bill	Author	Description
1, 2, 4	HF 2128, as amended	Liebling	Governor's e-health reduction initiative, eliminating certain reporting requirements and department duties related to e-health
3, 7-9	HF 2121, as amended	Huot	Governor's initiative to eliminate state certification of health data intermediaries and modify health information exchange requirements
5, 6	HF 2121, as amended	Huot	Health Department housekeeping bill, modifying provisions governing electronic prescribing standards
10, 11, 97, 98 (portion)	HF 2121, as amended	Huot	Health Department housekeeping bill, elimination of Center for Health Care Purchasing Improvement but retaining some of the center's duties for the commissioner
12-14, 94	HF 59, as amended	Elkins	Allowing certain data from the all-payer claims database that is released or published to identify hospitals, clinics, and medical practices; directing the commissioner to develop recommendations to increase access to APCD data
15	HF 2048	Jordan	Change to source regarding estimates of a chemical's carcinogenic potency used by commissioner of health to derive health risk limits for substances degrading groundwater
16-19, 92	HF 2113, as amended and modified	Morrison	COVID-19 vaccine distribution, equitable vaccine distribution, mobile vaccination program, vaccination data and reporting, additional member on COVID-19 Vaccine Allocation Advisory Group
20-27, 98 (portion)	HF 2121, as amended	Huot	Health Department housekeeping bill, modifications to resident reimbursement case mix classification statute for residents of nursing homes and boarding care homes
28-32	HF 2128, as amended	Liebling	Governor's initiative, modifications to licensure fees for radioactive material or source or special nuclear material
33	HF 2128, as amended	Liebling	Governor's initiative, increase in per-specimen fee for testing under the newborn screening program
34	HF 660, 1 st engrossment, as amended	Richardson	Dignity in pregnancy and childbirth, requiring hospitals with obstetric care and birth centers to provide continuing education on anti-racism and implicit bias
35	HF1131, as modified	Reyer	Oral health professional added to membership of Rural Health Advisory Committee

Section	Underlying Bill	Author	Description
36	HF 2055	Boldon	General surgery programs added to programs eligible for grants under International Medical Graduate Primary Care Residency Grant Program
37, 38, 39 (portion), 40, 42, 84	HF 162	Fischer	Issuance of certified birth records and state identification cards to homeless youth and fee waiver
39 (portion)	HF 526	Klevorn	Changes to persons who may obtain a certified birth or death record
41	HF 2128, as amended	Liebling	Governor's initiative, authorizing convenience fees and transaction fees to be charged for provision of vital records electronically or by telephone or the Internet
43, 44, 45 (portion), 46	HF 1529, 1 st division engrossment, as amended	Fischer	Changes to hospital bed license transfer requirements after closure of a hospital; monitoring and enforcement of hospital construction moratorium exception conditions; hospital construction moratorium exception for mental health or SUD beds
45 (portion)	HF 834, as modified	Her	Hospital construction moratorium exception for Regions Hospital
47, 48	HF 1173, as amended	Lippert	Requiring notice to be provided before a hospital relocates or ceases to offer certain services; requiring a public hearing; establishing a right of first refusal for a local unit of government before a hospital is sold or closed
49-52, 86	New language: HF 4013, 1 st engrossment (from 2020 session)	Fischer	Modifying requirements for lead risk assessments and lead orders
53	HF 1953	Schultz	Modifying the definition of assisted living facility for the chapter governing assisted living facility licensure
54	New language		Modifying requirements for access to outdoor space for residents of assisted living facilities with dementia care
55	HF 1197	Bahner	Grants for home visiting programs for pregnant women and families with young children
56-59, 85	HF 2121, as amended	Huot	Health Department housekeeping bill, changes to WIC statutes, including authorizing issuance of food benefits three times per month instead of bimonthly
60, 61	HF 2128, as amended	Liebling	Governor's initiative, modifications to section governing maternal mortality studies
62	HF 2128, as amended	Liebling	Governor's initiative, authorizing the commissioner of health to conduct maternal morbidity studies
63-69, 93	HF 1023, 1 st engrossment; HF 675, as amended;	Gomez; Munson	Rescheduling marijuana and nonsynthetic tetrahydrocannabinols from Schedule I to Schedule II on the state controlled substances schedule

Section	Underlying Bill	Author	Description
	plus new section		
70, 72, 75, 76, 78, 79, 80 (portion), 81-83	HF 1413, as amended	Edelson	Modifications to medical cannabis program: allowing manufacturers to acquire hemp products, modifying pharmacist consultation requirements, allowing distribution to persons in motor vehicles, modifying requirements for registered designated caregivers
71, 73-74, 80 (portion)	HF 813, as modified	Edelson	Modifications to medical cannabis program: allowing patients age 21 and older to combust medical cannabis in dried raw cannabis form
77	HF 907	Gomez	Modifications to medical cannabis program: allowing patients whose program enrollments have been revoked for certain violations to reapply for enrollment after 12 months
87-90	HF 2128, as amended	Liebling	Governor's initiative expanding application of asbestos-related work standards to single-family residences and buildings with 4 or fewer units; increasing asbestos licensing, certification, and permit fees
91	New language (HF 1810)	Schultz	Corrects a cross-reference in a subdivision governing conversion from housing with services establishment registration to assisted living facility license
95	HF 1419, as amended	Hassan	Skin lightening products public awareness and education grant program
96	HF 1531	Lee	Trauma-informed gun violence reduction pilot project

Article 4 – Health-Related Licensing Boards

Section	Underlying Bill	Author	Description
1	HF 568	Mekeland	Allowing persons certified by the Emergency Medical Services Regulatory Board to provide emergency care to police dogs without a license to practice veterinary medicine

Article 5 – Prescription Drugs

Section	Underlying Bill	Author	Description
1-6, 14-15	HF 1183, 2 nd engrossment	Stephenson	Prohibits drug manufacturers from imposing excessive price increases on generic or off-patent drugs, and from withdrawing a drug to avoid this prohibition; requires state agencies to notify the manufacturer, the attorney general, and the board of pharmacy of excessive price increases; allows the attorney general to take action against violations and also makes violations grounds for disciplinary action by the Board of Pharmacy.
7	HF 633, 1 st engrossment	Bierman	Requires health carriers to offer 25 percent of their individual and small group plans with a pre-deductible, flat dollar copay for drugs.

Section	Underlying Bill	Author	Description
8, 21	New language: HF 1257, 1 st engrossment (from 2020 session)	Cantrell	Requires health plan companies to make their formularies available 30 days before annual renewal dates; limits the extent to which drugs can be removed from the formulary during a contract term and provides that changes that increase an enrollee's cost do not apply for the duration of the contract term. Requires DHS managed care and county-based purchasing plans to comply with these requirements.
9, 12, 13, 22	HF 1516, as amended – modified	Schultz	Limits the extent to which a PBM or health carrier can give preferential treatment to a single biological product. If a PBM or health carrier does this, it must also provide equivalent coverage to reference, biosimilar, or interchangeable biological products with a wholesale acquisition cost that is less than the single product. Requires the commissioner of health to study the effect of these requirements on the net price of biological products and report to the legislature.
10	HF 1576	Bahner	Prohibits a PBM or health carrier from prohibiting a pharmacy from discussing drug acquisition cost and reimbursement information with a patient; also prohibits a PBM from prohibiting a pharmacy from discussing reimbursement information with a health carrier.
11	New language: HF 2114 (from 2020 session)	Bahner	Prohibits a PBM or health carrier from requiring an enrollee to pay at the point of sale an amount greater than the net price of a prescription drug.
16	HF 1158	Acomb	Requires mail order or specialty pharmacies to comply with manufacturer temperature requirements when mailing a drug to a patient, including but not limited to including in each package a means of detecting improper storage or temperature violations.
17-20	HF 1499	Fischer	Makes changes in the operation of the drug repository program, including allowing donation of over-the-counter drugs and allowing the sharing of inventories with other state drug donation programs.

Article 6 – Health Insurance

Section	Underlying Bill	Author	Description
1-9, 11, 15, 16, 19	HF 1002, 1 st engrossment, as amended	Schultz	Codifying certain provisions of the Affordable Care Act, removing certain references to the ACA from statute
10	HF 669	Morrison	Timely provider credentialing by health plan companies
12, 17	HF 648, 1 st engrossment	Koegel	Prohibiting lifetime and annual limits on screening or urinalysis testing for opioids
13, 14, 18	HF 520, as amended and modified	Morrison	Coverage of contraceptives and contraceptive services, supply requirements

Article 7 – Telehealth

Section	Underlying Bill	Author	Description
1	HF 1412 1 st engrossment, with committee amendments, modified	Liebling	Adds additional requirements for coverage of telehealth by private sector insurers. These include: changing terminology to use the term telehealth; allowing additional providers to be reimbursed for telehealth services, providing a definition of telehealth which includes audio-only communication, prohibiting telehealth only networks, and adding additional requirements related to parity in coverage and reimbursement between telehealth and in-person services. Also requires coverage of telemonitoring services.
2	HF 1412, as above	Liebling	Changes terminology and definitions related to telehealth in the Board of Medical Practice statutes.
3	HF 1412, as above	Liebling	Changes terminology related to the use of telehealth for prescribers of certain drugs and makes other changes.
4-8	HF 1412, as above	Liebling	Makes conforming and other changes related to telehealth in language governing substance use disorder programs and treatment for alcohol and drug abuse.
9	HF 1412, as above	Liebling	Allows the use of telehealth contract for mental health case management.
10	HF 1412, as above	Liebling	Modifies MA coverage of telehealth services, to be consistent with changes made in private insurance coverage. Also eliminates the three visit per week limit, expands the provider types that can provide telehealth services, and allows coverage of audio-only communication between a provider and patient.
11	HF 1412, as above	Liebling	Provides MA coverage for telemonitoring services.
12	HF 1412, as above	Liebling	Allows medication therapy management under MA to be provided by telehealth.
13-14, 20-22	HF 1822	Wolgammott	Allows targeted case management to be provided through interactive video, and specifies criteria for the use of interactive video.
15	HF 1412, as above	Liebling	Allows the use of telehealth, rather than interactive video, in a section dealing with mental health telehealth.
16-19, 23, 26	HF 1822	Wolgammott	Makes various changes in the use of telehealth for long-term care consultation assessments and specifies criteria for remote assessments.
24-25	HF 1822	Wolgammott	Modifies county duties and requirements related to the MFIP program and telehealth.
27	HF 1412, as above	Liebling	Requires DHS to study the impact of telehealth payment methods and telehealth expansion under this act on the coverage and provision of telehealth in public programs and private insurance, and report to the legislature by February 15, 2023.
28	HF 1412 (new language)		Provides an effective date of January 1, 2022, for specified sections in this article that deal with telehealth and MA and substance use disorder treatment.

Section	Underlying Bill	Author	Description
29	HF 1412 (new language)		Provides that specified sections in this article that deal with telehealth and MA and substance use disorder treatment expire July 1, 2023.
30	HF 1412, as above	Liebling	Revisor's instruction related to the change in terminology from "telemedicine" to "telehealth."
31	HF 1412, as above	Liebling	Repeals the current law governing the coverage of telemedicine by private sector health insurers.

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