

1.1 A bill for an act
1.2 relating to human services; clarifying commissioner authority to impose sanctions
1.3 against individuals or entities that receive payments from medical assistance or
1.4 provide goods or services for which payment is made from medical assistance;
1.5 recodifying medical assistance sanctions and monetary recovery provisions;
1.6 amending Minnesota Statutes 2024, sections 245.095, subdivision 5, by adding a
1.7 subdivision; 256B.064, subdivisions 1b, 1c, 1d, 2, 3, 4, 5, by adding subdivisions;
1.8 Minnesota Statutes 2025 Supplement, section 15.013, by adding a subdivision.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2025 Supplement, section 15.013, is amended by adding a
1.11 subdivision to read:

1.12 Subd. 7. **Exemption for the medical assistance program.** Nothing in this section
1.13 modifies, supersedes, limits, or expands the authority of the commissioner of human services
1.14 to impose sanctions under section 256B.064. The commissioner of human services must
1.15 include in the commissioner's report to the commissioner of management and budget under
1.16 subdivision 6 payments withheld under sections 245.095 and 256B.064.

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

1.18 Sec. 2. Minnesota Statutes 2024, section 245.095, subdivision 5, is amended to read:

1.19 Subd. 5. **Withholding of payments.** (a) Except as provided under subdivision 7 or as
1.20 otherwise provided by state or federal law, the commissioner may withhold payments to a
1.21 provider, vendor, individual, associated individual, or associated entity in any program
1.22 administered by the commissioner if the commissioner determines there is a credible
1.23 allegation of fraud for which an investigation is pending for a program administered by a
1.24 Minnesota state or federal agency.

2.1 (b) For purposes of this subdivision, "credible allegation of fraud" means an allegation
2.2 that has been verified by the commissioner from any source, including but not limited to:

2.3 (1) fraud hotline complaints;

2.4 (2) claims data mining;

2.5 (3) patterns identified through provider audits, civil false claims cases, and law
2.6 enforcement investigations; and

2.7 (4) court filings and other legal documents, including but not limited to police reports,
2.8 complaints, indictments, informations, affidavits, declarations, and search warrants.

2.9 (c) The commissioner must send notice of the withholding of payments within five days
2.10 of taking such action. The notice must:

2.11 (1) state that payments are being withheld according to this subdivision;

2.12 (2) set forth the general allegations related to the withholding action, except the notice
2.13 need not disclose specific information concerning an ongoing investigation;

2.14 (3) state that the withholding is for a temporary period and cite the circumstances under
2.15 which the withholding will be terminated; and

2.16 (4) inform the provider, vendor, individual, associated individual, or associated entity
2.17 of the right to submit written evidence to contest the withholding action for consideration
2.18 by the commissioner.

2.19 (d) If the commissioner withholds payments under this subdivision, the provider, vendor,
2.20 individual, associated individual, or associated entity has a right to request administrative
2.21 reconsideration. A request for administrative reconsideration must be made in writing, state
2.22 with specificity the reasons the payment withholding decision is in error, and include
2.23 documents to support the request. Within 60 days from receipt of the request, the
2.24 commissioner shall judiciously review allegations, facts, evidence available to the
2.25 commissioner, and information submitted by the provider, vendor, individual, associated
2.26 individual, or associated entity to determine whether the payment withholding should remain
2.27 in place.

2.28 (e) The commissioner shall stop withholding payments if the commissioner determines
2.29 there is insufficient evidence of fraud by the provider, vendor, individual, associated
2.30 individual, or associated entity or when legal proceedings relating to the alleged fraud are
2.31 completed, unless the commissioner has sent notice under subdivision 3 to the provider,
2.32 vendor, individual, associated individual, or associated entity.

3.1 (f) The withholding of payments is a temporary action and is not subject to appeal under
3.2 section 256.045 or chapter 14.

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

3.4 Sec. 3. Minnesota Statutes 2024, section 245.095, is amended by adding a subdivision to
3.5 read:

3.6 Subd. 7. **Exemption for the medical assistance program.** Nothing in this section
3.7 modifies, supersedes, limits, or expands the commissioner's authority to impose sanctions
3.8 under section 256B.064.

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

3.10 Sec. 4. Minnesota Statutes 2024, section 256B.064, subdivision 1b, is amended to read:

3.11 Subd. 1b. **Sanctions available.** (a) The commissioner may impose the following sanctions
3.12 for the conduct described in subdivision 1a: ~~suspension or withholding of payments to an~~
3.13 ~~individual or entity and suspending or terminating participation in the program, or imposition~~
3.14 ~~of a fine under subdivision 2, paragraph (g).~~

3.15 (1) suspending payments to an individual or entity;

3.16 (2) withholding payments to an individual or entity;

3.17 (3) suspending participation in the program;

3.18 (4) terminating participation in the program; or

3.19 (5) imposing a fine under subdivision 2a.

3.20 (b) When imposing sanctions under this section ~~section~~ subdivision, the commissioner ~~shall~~
3.21 must consider the nature, chronicity, or severity of the conduct and the effect of the conduct
3.22 on the health and safety of persons served by the individual or entity.

3.23 (c) The commissioner ~~shall~~ must suspend an individual's or entity's participation in the
3.24 program for a minimum of five years if the individual or entity is convicted of a crime,
3.25 received a stay of adjudication, or entered a court-ordered diversion program for an offense
3.26 related to a provision of a health service under medical assistance, including a federally
3.27 approved waiver, or health care fraud.

3.28 (d) Regardless of imposition of sanctions, the commissioner may make a referral to the
3.29 appropriate state licensing board.

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

4.1 Sec. 5. Minnesota Statutes 2024, section 256B.064, subdivision 1c, is amended to read:

4.2 Subd. 1c. **Grounds for and methods of monetary recovery.** (a) The commissioner
4.3 may obtain monetary recovery from an individual or entity that has been improperly paid
4.4 by the department either as a result of conduct described in subdivision 1a or as a result of
4.5 an error by the individual or entity submitting the claim or by the department, regardless of
4.6 whether the error was intentional. Patterns need not be proven as a precondition to monetary
4.7 recovery of erroneous or false claims, duplicate claims, claims for services not medically
4.8 necessary, or claims based on false statements.

4.9 (b) The commissioner may obtain monetary recovery using methods including but not
4.10 limited to the following: assessing and recovering money improperly paid and debiting from
4.11 future payments any money improperly paid. The commissioner ~~shall~~ must charge interest
4.12 on money to be recovered if the recovery is to be made by installment payments or debits,
4.13 except when the monetary recovery is of an overpayment that resulted from a department
4.14 error. The interest charged ~~shall~~ must be the rate established by the commissioner of revenue
4.15 under section 270C.40.

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

4.17 Sec. 6. Minnesota Statutes 2024, section 256B.064, subdivision 1d, is amended to read:

4.18 Subd. 1d. **Investigative costs.** (a) The commissioner may seek recovery of investigative
4.19 costs from any individual or entity that willfully submits a claim for reimbursement for
4.20 services that the individual or entity knows, or reasonably should have known, is a false
4.21 representation and that results in the payment of public funds for which the individual or
4.22 entity is ineligible.

4.23 (b) Billing errors that result in unintentional overcharges ~~shall~~ are not be grounds for
4.24 investigative cost recoupment.

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

4.26 Sec. 7. Minnesota Statutes 2024, section 256B.064, subdivision 2, is amended to read:

4.27 Subd. 2. **Imposition of monetary recovery and sanctions; generally.** (a) The
4.28 commissioner ~~shall~~ must determine any monetary amounts to be recovered and sanctions
4.29 to be imposed upon an individual or entity under this section. Except as provided in
4.30 ~~paragraphs (b) and (d), neither~~ subdivisions 2b to 2d, the commissioner must not obtain a
4.31 monetary recovery ~~nor~~ or impose a sanction ~~will be imposed by the commissioner~~ without
4.32 prior notice and an opportunity for a hearing, according to chapter 14, on the commissioner's

5.1 proposed action, ~~provided that the commissioner may suspend or reduce payment to an~~
5.2 ~~individual or entity, except a nursing home or convalescent care facility, after notice and~~
5.3 ~~prior to the hearing if in the commissioner's opinion that action is necessary to protect the~~
5.4 ~~public welfare and the interests of the program.~~

5.5 ~~(b) Except when the commissioner finds good cause not to suspend payments under~~
5.6 ~~Code of Federal Regulations, title 42, section 455.23(e) or (f), the commissioner shall~~
5.7 ~~withhold or reduce payments to an individual or entity without providing advance notice~~
5.8 ~~of such withholding or reduction if either of the following occurs:~~

5.9 ~~(1) the individual or entity is convicted of a crime involving the conduct described in~~
5.10 ~~subdivision 1a; or~~

5.11 ~~(2) the commissioner determines there is a credible allegation of fraud for which an~~
5.12 ~~investigation is pending under the program. Allegations are considered credible when they~~
5.13 ~~have an indicium of reliability and the state agency has reviewed all allegations, facts, and~~
5.14 ~~evidence carefully and acts judiciously on a case-by-case basis. A credible allegation of~~
5.15 ~~fraud is an allegation which has been verified by the state, from any source, including but~~
5.16 ~~not limited to:~~

5.17 ~~(i) fraud hotline complaints;~~

5.18 ~~(ii) claims data mining; and~~

5.19 ~~(iii) patterns identified through provider audits, civil false claims cases, and law~~
5.20 ~~enforcement investigations.~~

5.21 ~~(c) The commissioner must send notice of the withholding or reduction of payments~~
5.22 ~~under paragraph (b) within five days of taking such action unless requested in writing by a~~
5.23 ~~law enforcement agency to temporarily withhold the notice. The notice must:~~

5.24 ~~(1) state that payments are being withheld according to paragraph (b);~~

5.25 ~~(2) set forth the general allegations as to the nature of the withholding action, but need~~
5.26 ~~not disclose any specific information concerning an ongoing investigation;~~

5.27 ~~(3) except in the case of a conviction for conduct described in subdivision 1a, state that~~
5.28 ~~the withholding is for a temporary period and cite the circumstances under which withholding~~
5.29 ~~will be terminated;~~

5.30 ~~(4) identify the types of claims to which the withholding applies; and~~

5.31 ~~(5) inform the individual or entity of the right to submit written evidence for consideration~~
5.32 ~~by the commissioner.~~

6.1 ~~(d) The withholding or reduction of payments will not continue after the commissioner~~
6.2 ~~determines there is insufficient evidence of fraud by the individual or entity, or after legal~~
6.3 ~~proceedings relating to the alleged fraud are completed, unless the commissioner has sent~~
6.4 ~~notice of intention to impose monetary recovery or sanctions under paragraph (a). Upon~~
6.5 ~~conviction for a crime related to the provision, management, or administration of a health~~
6.6 ~~service under medical assistance, a payment held pursuant to this section by the commissioner~~
6.7 ~~or a managed care organization that contracts with the commissioner under section 256B.035~~
6.8 ~~is forfeited to the commissioner or managed care organization, regardless of the amount~~
6.9 ~~charged in the criminal complaint or the amount of criminal restitution ordered.~~

6.10 ~~(e) The commissioner shall suspend or terminate an individual's or entity's participation~~
6.11 ~~in the program without providing advance notice and an opportunity for a hearing when the~~
6.12 ~~suspension or termination is required because of the individual's or entity's exclusion from~~
6.13 ~~participation in Medicare. Within five days of taking such action, the commissioner must~~
6.14 ~~send notice of the suspension or termination. The notice must:~~

6.15 ~~(1) state that suspension or termination is the result of the individual's or entity's exclusion~~
6.16 ~~from Medicare;~~

6.17 ~~(2) identify the effective date of the suspension or termination; and~~

6.18 ~~(3) inform the individual or entity of the need to be reinstated to Medicare before~~
6.19 ~~reapplying for participation in the program.~~

6.20 ~~(f)~~ (b) Upon receipt of a notice under paragraph (a) that a monetary recovery or sanction
6.21 is to be imposed, an individual or entity may request a contested case, as defined in section
6.22 14.02, subdivision 3, by filing with the commissioner a written request of appeal. The appeal
6.23 request must be received by the commissioner no later than 30 days after the date the
6.24 notification of monetary recovery or sanction was mailed to the individual or entity. The
6.25 appeal request must specify:

6.26 (1) each disputed item, the reason for the dispute, and an estimate of the dollar amount
6.27 involved for each disputed item;

6.28 (2) the computation that the individual or entity believes is correct;

6.29 (3) the authority in statute or rule upon which the individual or entity relies for each
6.30 disputed item;

6.31 (4) the name and address of the person or entity with whom contacts may be made
6.32 regarding the appeal; and

6.33 (5) other information required by the commissioner.

7.1 ~~(g) The commissioner may order an individual or entity to forfeit a fine for failure to~~
 7.2 ~~fully document services according to standards in this chapter and Minnesota Rules, chapter~~
 7.3 ~~9505. The commissioner may assess fines if specific required components of documentation~~
 7.4 ~~are missing. The fine for incomplete documentation shall equal 20 percent of the amount~~
 7.5 ~~paid on the claims for reimbursement submitted by the individual or entity, or up to \$5,000,~~
 7.6 ~~whichever is less. If the commissioner determines that an individual or entity repeatedly~~
 7.7 ~~violated this chapter, chapter 254B or 245G, or Minnesota Rules, chapter 9505, related to~~
 7.8 ~~the provision of services to program recipients and the submission of claims for payment,~~
 7.9 ~~the commissioner may order an individual or entity to forfeit a fine based on the nature,~~
 7.10 ~~severity, and chronicity of the violations, in an amount of up to \$5,000 or 20 percent of the~~
 7.11 ~~value of the claims, whichever is greater.~~

7.12 ~~(h) The individual or entity shall pay the fine assessed on or before the payment date~~
 7.13 ~~specified. If the individual or entity fails to pay the fine, the commissioner may withhold~~
 7.14 ~~or reduce payments and recover the amount of the fine. A timely appeal shall stay payment~~
 7.15 ~~of the fine until the commissioner issues a final order.~~

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

7.17 Sec. 8. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
 7.18 to read:

7.19 Subd. 2a. **Imposition of fines.** (a) The commissioner may order an individual or entity
 7.20 to forfeit a fine for failure to fully document services according to standards in this chapter
 7.21 and Minnesota Rules, chapter 9505. The commissioner may assess fines if specific required
 7.22 components of documentation are missing. The fine for incomplete documentation shall
 7.23 equal 20 percent of the amount paid on the claims for reimbursement submitted by the
 7.24 individual or entity, or up to \$5,000, whichever is less. If the commissioner determines that
 7.25 an individual or entity repeatedly violated this chapter, chapter 254B or 245G, or Minnesota
 7.26 Rules, chapter 9505, related to the provision of services to program recipients and the
 7.27 submission of claims for payment, the commissioner may order an individual or entity to
 7.28 forfeit a fine based on the nature, severity, and chronicity of the violations, in an amount
 7.29 of up to \$5,000 or 20 percent of the value of the claims, whichever is greater.

7.30 (b) The individual or entity must pay the fine assessed on or before the payment date
 7.31 specified by the commissioner. If the individual or entity fails to pay the fine, the
 7.32 commissioner may withhold or reduce payments and recover the amount of the fine. A
 7.33 timely appeal stays payment of the fine until the commissioner issues a final order.

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

8.1 Sec. 9. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
8.2 to read:

8.3 Subd. 2b. **Mandatory suspension or termination after exclusion from participation**
8.4 **in Medicare.** (a) The commissioner must suspend or terminate an individual's or entity's
8.5 participation in the program without providing advance notice and an opportunity for a
8.6 hearing when the suspension or termination is required because of the individual's or entity's
8.7 exclusion from participation in Medicare.

8.8 (b) Within five days of taking an action under paragraph (a), the commissioner must
8.9 send notice of the suspension or termination. The notice must:

8.10 (1) state that suspension or termination is the result of the individual's or entity's exclusion
8.11 from Medicare;

8.12 (2) identify the effective date of the suspension or termination; and

8.13 (3) inform the individual or entity of the need to be reinstated to Medicare before
8.14 reapplying for participation in the program.

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

8.16 Sec. 10. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
8.17 to read:

8.18 Subd. 2c. **Imposition of withholding or reduction of payments prior to a hearing.** (a)
8.19 Except as provided in paragraph (b), the commissioner may withhold or reduce payment
8.20 to an individual or entity after notice but prior to a hearing if, in the commissioner's opinion,
8.21 this action is necessary to protect the public welfare and the interests of the program.

8.22 (b) The commissioner must not withhold or reduce payments to a nursing home or
8.23 convalescent care facility prior to a hearing.

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

8.25 Sec. 11. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
8.26 to read:

8.27 Subd. 2d. **Imposition of withholding or reduction of payments without prior**
8.28 **notice.** (a) Except when the commissioner finds good cause not to suspend payments under
8.29 Code of Federal Regulations, title 42, section 455.23(e) or (f), the commissioner must
8.30 withhold or reduce payments to an individual or entity without providing advance notice
8.31 of such withholding or reduction if either of the following occurs:

9.1 (1) the individual or entity is convicted of a crime involving the conduct described in
9.2 subdivision 1a; or

9.3 (2) the commissioner determines there is a credible allegation of fraud for which an
9.4 investigation is pending under the program. Allegations are considered credible when they
9.5 have an indicium of reliability and the state agency has reviewed all allegations, facts, and
9.6 evidence carefully and acts judiciously on a case-by-case basis. A credible allegation of
9.7 fraud is an allegation which has been verified by the state, from any source, including but
9.8 not limited to:

9.9 (i) fraud hotline complaints;

9.10 (ii) claims data mining; and

9.11 (iii) patterns identified through provider audits, civil false claims cases, and law
9.12 enforcement investigations.

9.13 (b) The commissioner must send notice of the withholding or reduction of payments
9.14 under paragraph (a) within five days of taking such action unless requested in writing by a
9.15 law enforcement agency to temporarily withhold the notice. The notice must:

9.16 (1) state that payments are being withheld according to paragraph (a);

9.17 (2) set forth the general allegations as to the nature of the withholding action, but need
9.18 not disclose any specific information concerning an ongoing investigation;

9.19 (3) except in the case of a conviction for conduct described in subdivision 1a, state that
9.20 the withholding is for a temporary period and cite the circumstances under which withholding
9.21 will be terminated;

9.22 (4) identify the types of claims to which the withholding applies; and

9.23 (5) inform the individual or entity of the right to submit written evidence for consideration
9.24 by the commissioner.

9.25 (c) The commissioner must cease the withholding or reduction of payments under this
9.26 subdivision after the commissioner determines there is insufficient evidence of fraud by the
9.27 individual or entity, or after legal proceedings relating to the alleged fraud are completed,
9.28 unless the commissioner has sent notice of intention to impose monetary recovery or
9.29 sanctions.

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

10.1 Sec. 12. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
10.2 to read:

10.3 Subd. 2e. **Forfeiture of withheld payments upon criminal conviction.** Upon conviction
10.4 for a crime related to the provision, management, or administration of a health service under
10.5 medical assistance, a payment held pursuant to this section by the commissioner or a managed
10.6 care organization that contracts with the commissioner under section 256B.035 is forfeited
10.7 to the commissioner or managed care organization, regardless of the amount charged in the
10.8 criminal complaint or the amount of criminal restitution ordered.

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

10.10 Sec. 13. Minnesota Statutes 2024, section 256B.064, subdivision 3, is amended to read:

10.11 Subd. 3. **Mandates on prohibited payments.** (a) The commissioner ~~shall~~ must maintain
10.12 and publish a list of each excluded individual and entity that was convicted of a crime related
10.13 to the provision, management, or administration of a medical assistance health service, or
10.14 suspended or terminated under subdivision ~~2~~ 2b. Medical assistance payments cannot be
10.15 made by an individual or entity for items or services furnished either directly or indirectly
10.16 by an excluded individual or entity, or at the direction of excluded individuals or entities.

10.17 (b) The entity must check the exclusion list on a monthly basis and document the date
10.18 and time the exclusion list was checked and the name and title of the person who checked
10.19 the exclusion list. The entity must immediately terminate payments to an individual or entity
10.20 on the exclusion list.

10.21 (c) An entity's requirement to check the exclusion list and to terminate payments to
10.22 individuals or entities on the exclusion list applies to each individual or entity on the
10.23 exclusion list, even if the named individual or entity is not responsible for direct patient
10.24 care or direct submission of a claim to medical assistance.

10.25 (d) An entity that pays medical assistance program funds to an individual or entity on
10.26 the exclusion list must refund any payment related to either items or services rendered by
10.27 an individual or entity on the exclusion list from the date the individual or entity is first paid
10.28 or the date the individual or entity is placed on the exclusion list, whichever is later, and an
10.29 entity may be subject to:

10.30 (1) sanctions under ~~subdivision 2~~ this section;

10.31 (2) a civil monetary penalty of up to \$25,000 for each determination by the department
10.32 that the vendor employed or contracted with an individual or entity on the exclusion list;
10.33 and

11.1 (3) other fines or penalties allowed by law.

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

11.3 Sec. 14. Minnesota Statutes 2024, section 256B.064, subdivision 4, is amended to read:

11.4 Subd. 4. **Notice.** (a) The department ~~shall~~ must serve the notice required under ~~subdivision~~
11.5 subdivisions 2 and 2d using a signature-verified confirmed delivery method to the address
11.6 submitted to the department by the individual or entity. Service is complete upon mailing.

11.7 (b) The department ~~shall~~ must give notice in writing to a recipient placed in the Minnesota
11.8 restricted recipient program under section 256B.0646 and Minnesota Rules, part 9505.2200.
11.9 The department ~~shall~~ must send the notice by first class mail to the recipient's current address
11.10 on file with the department. A recipient placed in the Minnesota restricted recipient program
11.11 may contest the placement by submitting a written request for a hearing to the department
11.12 within 90 days of the notice being mailed.

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

11.14 Sec. 15. Minnesota Statutes 2024, section 256B.064, subdivision 5, is amended to read:

11.15 Subd. 5. **Immunity; good faith reporters.** (a) A person who makes a good faith report
11.16 is immune from any civil or criminal liability that might otherwise arise from reporting or
11.17 participating in the investigation. Nothing in this subdivision affects an individual's or
11.18 entity's responsibility for an overpayment established under this subdivision.

11.19 (b) A person employed by a lead investigative agency who is conducting or supervising
11.20 an investigation or enforcing the law according to the applicable law or rule is immune from
11.21 any civil or criminal liability that might otherwise arise from the person's actions, if the
11.22 person is acting in good faith and exercising due care.

11.23 (c) For purposes of this subdivision, "person" includes a natural person or any form of
11.24 a business or legal entity.

11.25 (d) After an investigation is complete, the reporter's name must be kept confidential.
11.26 The subject of the report may compel disclosure of the reporter's name only with the consent
11.27 of the reporter or upon a written finding by a district court that the report was false and there
11.28 is evidence that the report was made in bad faith. This subdivision does not alter disclosure
11.29 responsibilities or obligations under the Rules of Criminal Procedure, except that when the
11.30 identity of the reporter is relevant to a criminal prosecution the district court ~~shall~~ must
11.31 conduct an in-camera review before determining whether to order disclosure of the reporter's
11.32 identity.

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

12.2 Sec. 16. Minnesota Statutes 2024, section 256B.064, is amended by adding a subdivision
12.3 to read:

12.4 **Subd. 6. Application.** This section supersedes any inconsistent or contrary provision of
12.5 law.

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