

1.1 ..... moves to amend H.F. No. 4100 as follows:

1.2 Page 1, after line 13, insert:

1.3 "Sec. .... [62J.805] DEFINITIONS.

1.4 Subdivision 1. **Application.** For purposes of sections 62J.805 to 62J.808, the following  
1.5 terms have the meanings given.

1.6 Subd. 2. **Health care provider.** "Health care provider" means:

1.7 (1) a health professional who is licensed or registered by the state to provide health  
1.8 treatments and services within the professional's scope of practice and in accordance with  
1.9 state law;

1.10 (2) a group practice; or

1.11 (3) a hospital.

1.12 Subd. 3. **Health plan.** "Health plan" has the meaning given in section 62A.011,  
1.13 subdivision 3.

1.14 Subd. 4. **Hospital.** "Hospital" means a health care facility licensed as a hospital under  
1.15 sections 144.50 to 144.56.

1.16 Subd. 5. **Group practice.** "Group practice" has the meaning given to health care provider  
1.17 group practice in section 145D.01, subdivision 1.

1.18 Subd. 6. **Miscode.** "Miscode" means a health care provider or a health care provider's  
1.19 designee, using a coding system and for billing purposes, assigns a numeric or alphanumeric  
1.20 code to a health treatment or service provided to a patient and the code assigned does not  
1.21 accurately reflect the health treatment or service provided based on factors that include the  
1.22 patient's diagnosis and the complexity of the patient's condition.

2.1 Subd. 7. **Payment.** "Payment" includes co-payments and coinsurance and deductible  
 2.2 payments made by a patient.

2.3 Sec. .... **[62J.806] POLICY FOR COLLECTION OF MEDICAL DEBT.**

2.4 Subdivision 1. **Requirement.** Each health care provider must make available to the  
 2.5 public the health care provider's policy for the collection of medical debt from patients. This  
 2.6 policy must be made available by:

2.7 (1) clearly posting it on the health care provider's website, or for health professionals,  
 2.8 on the website of the health clinic, group practice, or hospital at which the health professional  
 2.9 is employed or under contract; and

2.10 (2) providing a copy of the policy to any individual who requests it.

2.11 Subd. 2. **Content.** A policy made available under this section must at least specify the  
 2.12 procedures followed by the health care provider for:

2.13 (1) communicating with patients about the medical debt owed and collecting medical  
 2.14 debt;

2.15 (2) referring medical debt to a collection agency or law firm for collection; and

2.16 (3) identifying medical debt as uncollectible or satisfied, and ending collection activities.

2.17 Sec. .... **[62J.807] DENIAL OF HEALTH TREATMENTS OR SERVICES DUE TO**  
 2.18 **OUTSTANDING MEDICAL DEBT.**

2.19 (a) A health care provider must not deny medically necessary health treatments or services  
 2.20 to a patient or any member of the patient's family or household because of outstanding  
 2.21 medical debt owed by the patient or any member of the patient's family or household to the  
 2.22 health care provider, regardless of whether the health treatment or service may be available  
 2.23 from another health care provider.

2.24 (b) As a condition of providing medically necessary health treatments or services in the  
 2.25 circumstances described in paragraph (a), a health care provider may require the patient to  
 2.26 enroll in a payment plan for the outstanding medical debt owed to the health care provider.

2.27 Sec. .... **[62J.808] BILLING AND PAYMENT FOR MISCODED HEALTH**  
 2.28 **TREATMENTS AND SERVICES.**

2.29 Subdivision 1. **Participation and cooperation required.** Each health care provider  
 2.30 must participate in, and cooperate with, all processes and investigations to identify, review,

3.1 and correct the coding of health treatments and services that are miscoded by the health  
3.2 care provider or a designee.

3.3 Subd. 2. **Notice; billing and payment during review.** (a) When a health care provider  
3.4 receives notice, other than notice from a health plan company as provided in paragraph (b),  
3.5 or otherwise determines that a health treatment or service may have been miscoded, the  
3.6 health care provider must notify the health plan company administering the patient's health  
3.7 plan in a timely manner of the potentially miscoded health treatment or service.

3.8 (b) When a health plan company receives notice, other than notice from a health care  
3.9 provider as provided in paragraph (a), or otherwise determines that a health treatment or  
3.10 service may have been miscoded, the health plan company must notify the health care  
3.11 provider who provided the health treatment or service of the potentially miscoded health  
3.12 treatment or service.

3.13 (c) When a review of a potentially miscoded health treatment or service is commenced,  
3.14 the health care provider and health plan company must notify the patient that a miscoding  
3.15 review is being conducted and that the patient will not be billed for any health treatment or  
3.16 service subject to the review and is not required to submit payments for any health treatment  
3.17 or service subject to the review until the review is complete and any miscoded health  
3.18 treatments or services are correctly coded.

3.19 (d) While a review of a potentially miscoded health treatment or service is being  
3.20 conducted, the health care provider and health plan company must not bill the patient for,  
3.21 or accept payment from the patient for, any health treatment or service subject to the review.

3.22 Subd. 3. **Billing and payment after completion of review.** The health care provider  
3.23 and health plan company may bill the patient for, and accept payment from the patient for,  
3.24 the health treatment or service that was subject to the miscoding review only after the review  
3.25 is complete and any miscoded health treatments or services have been correctly coded."

3.26 Page 1, after line 21, insert:

3.27 "Sec. .... Minnesota Statutes 2023 Supplement, section 144.587, subdivision 1, is amended  
3.28 to read:

3.29 Subdivision 1. **Definitions.** (a) The terms defined in this subdivision apply to this section  
3.30 and sections 144.588 to 144.589.

3.31 (b) "Charity care" means the provision of free or discounted care to a patient according  
3.32 to a hospital's financial assistance policies.

4.1 (c) "Hospital" means a private, nonprofit, or municipal hospital licensed under sections  
4.2 144.50 to 144.56.

4.3 (d) "Insurance affordability program" has the meaning given in section 256B.02,  
4.4 subdivision 19.

4.5 (e) "Navigator" has the meaning given in section 62V.02, subdivision 9.

4.6 (f) "Presumptive eligibility" has the meaning given in section 256B.057, subdivision  
4.7 12.

4.8 ~~(g) "Revenue recapture" means the use of the procedures in chapter 270A to collect debt.~~

4.9 ~~(h)~~ (g) "Uninsured service or treatment" means any service or treatment that is not  
4.10 covered by:

4.11 (1) a health plan, contract, or policy that provides health coverage to a patient; or

4.12 (2) any other type of insurance coverage, including but not limited to no-fault automobile  
4.13 coverage, workers' compensation coverage, or liability coverage.

4.14 ~~(i)~~ (h) "Unreasonable burden" includes requiring a patient to apply for enrollment in a  
4.15 state or federal program for which the patient is obviously or categorically ineligible or has  
4.16 been found to be ineligible in the previous 12 months.

4.17 Sec. .... Minnesota Statutes 2023 Supplement, section 144.587, subdivision 4, is amended  
4.18 to read:

4.19 Subd. 4. **Prohibited actions.** (a) A hospital must not initiate one or more of the following  
4.20 actions until the hospital determines that the patient is ineligible for charity care or denies  
4.21 an application for charity care:

4.22 (1) offering to enroll or enrolling the patient in a payment plan;

4.23 (2) changing the terms of a patient's payment plan;

4.24 (3) offering the patient a loan or line of credit, application materials for a loan or line of  
4.25 credit, or assistance with applying for a loan or line of credit, for the payment of medical  
4.26 debt;

4.27 (4) referring a patient's debt for collections, including in-house collections, third-party  
4.28 collections, ~~revenue recapture~~, or any other process for the collection of debt; or

4.29 ~~(5) denying health care services to the patient or any member of the patient's household  
4.30 because of outstanding medical debt, regardless of whether the services are deemed necessary  
4.31 or may be available from another provider; or~~

5.1 ~~(6)~~ (5) accepting a credit card payment of over \$500 for the medical debt owed to the  
5.2 hospital.

5.3 (b) A hospital is subject to section 62J.807."

5.4 Page 2, delete section 4, and insert:

5.5 "Sec. .... Minnesota Statutes 2022, section 332.31, is amended by adding a subdivision to  
5.6 read:

5.7 Subd. 2a. **Collecting party.** "Collecting party" means: (1) a person, who in the ordinary  
5.8 course of business regularly engages in the collection of consumer debt, whether collecting  
5.9 on behalf of themselves or others; or (2) a collection agency."

5.10 Page 2, line 19, after "bill," insert "claim,"

5.11 Page 2, delete line 21

5.12 Page 2, line 22, delete the new language

5.13 Page 2, after line 25, insert:

5.14 "Sec. .... Minnesota Statutes 2022, section 332.31, is amended by adding a subdivision to  
5.15 read:

5.16 Subd. 6a. **Consumer debt.** "Consumer debt" means debt incurred primarily for personal,  
5.17 family, or household purposes."

5.18 Page 2, delete section 6

5.19 Page 3, line 5, delete "natural"

5.20 Page 4, line 21, after "which" insert "falsely"

5.21 Page 4, line 31, after "(12)" insert "unless an exemption otherwise applies,"

5.22 Page 5, line 12, strike "health care" and insert "medically necessary health treatment or"  
5.23 and reinstate "~~services~~" and strike "withheld" and before "as" insert "denied"

5.24 Page 6, line 14, delete "debt buyers, and collectors,"

5.25 Page 6, line 20, delete everything after "know" and insert "is or was originally owed to  
5.26 a health care provider"

5.27 Page 6, delete line 21

5.28 Page 6, line 22, delete everything before the semicolon

6.1 Page 7, line 12, after "332.37" insert "when collecting or attempting to collect a consumer  
6.2 debt"

6.3 Page 8, line 1, delete "commissioner of commerce" and insert "attorney general"

6.4 Page 8, line 7, delete "debt" and after "payment" insert "of a consumer debt"

6.5 Page 8, line 26, before "JUDGMENTS" insert "TIME LIMITATIONS ON" and strike",  
6.6 TEN YEARS"

6.7 Page 11, line 19, before the second semicolon, insert "received by the person or by the  
6.8 person's dependent child" and before the third semicolon insert "received by the person or  
6.9 by the person's dependent child"

6.10 Page 18, after line 8, insert:

6.11 "Sec. .... Minnesota Statutes 2022, section 571.72, subdivision 8, is amended to read:

6.12 Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person,  
6.13 the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing  
6.14 earnings, the earnings exemption notice provided in section 571.924 must be served ten or  
6.15 more days before the service of the first garnishment summons. If the creditor is garnishing  
6.16 funds in a financial institution, the exemption notice provided in section 571.912 must be  
6.17 served with the garnishment summons. In all other cases, the exemption notice must be in  
6.18 the following form and served on the debtor with a copy of the garnishment summons.

6.19 STATE OF MINNESOTA DISTRICT COURT  
6.20 COUNTY OF ..... JUDICIAL DISTRICT  
6.21 .....(Creditor)  
6.22 against  
6.23 .....(Debtor) EXEMPTION NOTICE  
6.24 and  
6.25 .....(Garnishee)

6.26 A Garnishment Summons is being served upon you. Some of your property may be  
6.27 exempt and cannot be garnished. The following is a list of some of the more common  
6.28 exemptions. It is not complete and is subject to section 550.37 of the Minnesota Statutes  
6.29 and other state and federal laws. The dollar amounts contained in this list are subject to the  
6.30 provisions of section 550.37, subdivision 4a, at the time of garnishment. If you have questions  
6.31 about an exemption, you should obtain legal advice.

6.32 (1) a homestead or the proceeds from the sale of a homestead;

7.1 (2) household furniture, appliances, phonographs, radios, and televisions up to a total  
7.2 current value of \$5,850;

7.3 (3) a manufactured (mobile) home used as your home;

7.4 (4) one motor vehicle currently worth less than \$2,600 after deducting any security  
7.5 interest;

7.6 (5) farm machinery used by an individual principally engaged in farming, or tools,  
7.7 machines, or office furniture used in your business or trade. This exemption is limited to  
7.8 \$13,000;

7.9 (6) relief based on need. This includes:

7.10 (i) Minnesota Family Investment Program (MFIP) and Work First Program;

7.11 (ii) Medical Assistance (MA), whether received by you or by your dependent child;

7.12 (iii) General Assistance (GA);

7.13 (iv) Emergency General Assistance (EGA);

7.14 (v) Minnesota Supplemental AID (MSA);

7.15 (vi) MSA-Emergency Assistance (MSA-EA);

7.16 (vii) Supplemental Security Income (SSI);

7.17 (viii) Energy Assistance; and

7.18 (ix) Emergency Assistance (EA);

7.19 (7) Social Security benefits;

7.20 (8) unemployment benefits, workers' compensation, or veteran's benefits;

7.21 (9) an accident, disability, or retirement pension or annuity;

7.22 (10) life insurance proceeds;

7.23 (11) earnings of your minor child; and

7.24 (12) money from a claim for damage or destruction of exempt property (such as household  
7.25 goods, farm tools, business equipment, a manufactured (mobile) home, or a car).

7.26 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to exemption  
7.27 notices provided on or after that date."

7.28 Page 18, after line 27, insert:

8.1 "Sec. .... Minnesota Statutes 2022, section 571.72, subdivision 10, is amended to read:

8.2 Subd. 10. **Exemption notice for prejudgment garnishment.**

8.3 **EXEMPTION NOTICE**

8.4 **IMPORTANT NOTICE: A garnishment summons may be served on your employer,**  
8.5 **bank, or other third parties without any further court proceeding or notice to you.**

8.6 **See the attached Notice of Intent to Garnish for more information.**

8.7 **The following money and wages may be protected (the legal word is exempt) from**  
8.8 **garnishment:**

8.9 **1. Financial institutions/bank**

8.10 Some of the money in your account may be protected because you receive government  
8.11 benefits from one or more of the following places:

8.12 **MFIP** - Minnesota family investment program,

8.13 **MFIP Diversionary Work Program,**

8.14 **Work participation cash benefit,**

8.15 **GA** - general assistance,

8.16 **EA** - emergency assistance,

8.17 **MA** - medical assistance, whether received by you or by your dependent child,

8.18 **EGA** - emergency general assistance or county crisis funds,

8.19 **MSA** - Minnesota supplemental aid,

8.20 **MSA-EA** - MSA emergency assistance,

8.21 **Supplemental Nutrition Assistance Program (SNAP),**

8.22 **SSI** - Supplemental Security Income,

8.23 **MinnesotaCare**, whether received by you or by your dependent child,

8.24 **Medicare Part B premium payments,**

8.25 **Medicare Part D extra help,**

8.26 **Energy or fuel assistance,**

8.27 **Social Security benefits,**

8.28 **Unemployment benefits,**



9.1 **Workers' compensation,**

9.2 **Veterans benefits.**

9.3 **Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK**  
9.4 **STATEMENTS that show what was in your account for the past 60 days may give the**  
9.5 **creditor enough information about your exemption claim to avoid a garnishment.**

9.6 **2. Earnings**

9.7 All or some of your earnings may be completely protected from garnishment if:

9.8 **All of your earnings (wages) may be protected if:**

9.9 You get government benefits (see list of government benefits)

9.10 You currently receive other assistance based on need

9.11 You have received government benefits in the last six months

9.12 You were in jail or prison in the last six months

9.13 Your wages are only protected for 60 days after they are deposited in your account so  
9.14 **it would be helpful if you immediately send the undersigned creditor a copy of BANK**  
9.15 **STATEMENTS that show what was in your account for the past 60 days.**

9.16 **Some of your earnings (wages) may be protected if:**

9.17 If all of your earnings are not exempt, some of your earnings may still be protected for  
9.18 20 days after they were deposited in your account. The amount protected is the larger amount  
9.19 of:

9.20 75 percent of your wages (after taxes are taken out); or

9.21 (insert the sum of the current federal minimum wage) multiplied by 40.

9.22 **The money from the following are also exempt for 20 days after they are deposited**  
9.23 **in your account.**

9.24 **An accident, disability, or retirement pension or annuity**

9.25 **Payments to you from a life insurance policy**

9.26 **Earnings of your child who is under 18 years of age**

9.27 **Child support**

9.28 **Money paid to you from a claim for damage or destruction of property.** Property  
9.29 includes household goods, farm tools or machinery, tools for your job, business equipment,

10.1 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or  
10.2 appliances.

10.3 **Death benefits paid to you.**

10.4 **YOU WILL BE ABLE TO CLAIM THESE EXEMPTIONS WHEN YOU**  
10.5 **RECEIVE A NOTICE. You will get the notice at least ten days BEFORE a wage**  
10.6 **garnishment. BUT if the creditor garnishes your bank account, you will not get the**  
10.7 **notice until AFTER the account has been frozen. IF YOU BELIEVE THE MONEY**  
10.8 **IN YOUR BANK ACCOUNT OR YOUR WAGES ARE EXEMPT, YOU SHOULD**  
10.9 **IMMEDIATELY CONTACT THE PERSON BELOW. YOU SHOULD TELL THEM**  
10.10 **WHY YOU THINK YOUR ACCOUNT OR WAGES ARE EXEMPT TO SEE IF**  
10.11 **YOU CAN AVOID GARNISHMENT.**

10.12 Creditor .....  
10.13 Creditor address .....  
10.14 Creditor telephone number .....

10.15 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to exemption  
10.16 notices provided on or after that date."

10.17 Page 23, after line 26 insert:

10.18 "Sec. .... Minnesota Statutes 2022, section 571.925, is amended to read:

10.19 **571.925 FORM OF NOTICE.**

10.20 The ten-day notice informing a debtor that a garnishment summons may be used to  
10.21 garnish the earnings of an individual must be substantially in the following form:

10.22 STATE OF MINNESOTA DISTRICT COURT  
10.23 COUNTY OF ..... JUDICIAL DISTRICT  
10.24 .....(Creditor)  
10.25 against  
10.26 GARNISHMENT EXEMPTION  
10.27 .....(Debtor) NOTICE AND NOTICE OF  
10.28 and INTENT TO GARNISH EARNINGS  
10.29 .....(Garnishee)

10.30 PLEASE TAKE NOTICE that a garnishment summons or levy may be served upon  
10.31 your employer or other third parties, without any further court proceedings or notice to you,  
10.32 ten days or more from the date hereof. Some or all of your earnings are exempt from  
10.33 garnishment. If your earnings are garnished, your employer must show you how the amount

11.1 that is garnished from your earnings was calculated. You have the right to request a hearing  
11.2 if you claim the garnishment is incorrect.

11.3 Your earnings are completely exempt from garnishment if you are now a recipient of  
11.4 assistance based on need, if you have been a recipient of assistance based on need within  
11.5 the last six months, or if you have been an inmate of a correctional institution in the last six  
11.6 months.

11.7 Assistance based on need includes, but is not limited to:

11.8 **MFIP - Minnesota family investment program,**  
11.9 **MFIP Diversionary Work Program,**  
11.10 **Work participation cash benefit,**  
11.11 **GA - general assistance,**  
11.12 **EA - emergency assistance,**  
11.13 **MA - medical assistance, whether received by you or by your dependent child,**  
11.14 **EGA - emergency general assistance,**  
11.15 **MSA - Minnesota supplemental aid,**  
11.16 **MSA-EA - MSA emergency assistance,**  
11.17 **Supplemental Nutrition Assistance Program (SNAP),**  
11.18 **SSI - Supplemental Security Income,**  
11.19 **MinnesotaCare, whether received by you or by your dependent child,**  
11.20 **Medicare Part B premium payments,**  
11.21 **Medicare Part D extra help,**  
11.22 **Energy or fuel assistance.**

11.23 If you wish to claim an exemption, you should fill out the appropriate form below, sign  
11.24 it, and send it to the creditor's attorney and the garnishee.

11.25 You may wish to contact the attorney for the creditor in order to arrange for a settlement  
11.26 of the debt or contact an attorney to advise you about exemptions or other rights.

#### 11.27 PENALTIES

11.28 (1) Be advised that even if you claim an exemption, a garnishment summons may still  
11.29 be served on your employer. If your earnings are garnished after you claim an exemption,  
11.30 you may petition the court for a determination of your exemption. If the court finds that  
11.31 the creditor disregarded your claim of exemption in bad faith, you will be entitled to  
11.32 costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.

11.33 (2) **HOWEVER, BE WARNED** if you claim an exemption, the creditor can also petition  
11.34 the court for a determination of your exemption, and if the court finds that you claimed

12.1 an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus  
12.2 an amount not to exceed \$100.

12.3 (3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment,  
12.4 thus requiring the creditor to petition the court to resolve the problem, you will be liable  
12.5 to the creditor for costs and reasonable attorney's fees plus an amount not to exceed  
12.6 \$100.

12.7 Dated: .....  
12.8 (Attorney for) Creditor  
12.9 .....  
12.10 Address  
12.11 .....  
12.12 Telephone

12.13 DEBTOR'S EXEMPTION CLAIM NOTICE

12.14 I hereby claim that my earnings are exempt from garnishment because:

12.15 (1) I am presently a recipient of relief based on need. (Specify the program, case number,  
12.16 and the county from which relief is being received.)

12.17 .....

12.18 Program Case Number (if known) County

12.19 (2) I am not now receiving relief based on need, but I have received relief based on need  
12.20 within the last six months. (Specify the program, case number, and the county from  
12.21 which relief has been received.)

12.22 .....

12.23 Program Case Number (if known) County

12.24 (3) I have been an inmate of a correctional institution within the last six months. (Specify  
12.25 the correctional institution and location.)

12.26 .....

12.27 Correctional Institution Location

12.28 I hereby authorize any agency that has distributed relief to me or any correctional  
12.29 institution in which I was an inmate to disclose to the above-named creditor or the creditor's  
12.30 attorney only whether or not I am or have been a recipient of relief based on need or an  
12.31 inmate of a correctional institution within the last six months. I have mailed or delivered a  
12.32 copy of this form to the creditor or creditor's attorney.

- 13.1 .....
- 13.2 Date Debtor
- 13.3 .....
- 13.4 Address
- 13.5 .....
- 13.6 Debtor Telephone Number
- 13.7 STATE OF MINNESOTA DISTRICT COURT
- 13.8 COUNTY OF .....JUDICIAL DISTRICT
- 13.9 .....(Creditor)
- 13.10 .....(Debtor)
- 13.11 .....(Financial institution)
- 13.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to notices
- 13.13 provided on or after that date."
- 13.14 Renumber the sections in sequence and correct the internal references
- 13.15 Amend the title accordingly