

1.1 ..... moves to amend H.F. No. 3578, the first engrossment, as follows:

1.2 Page 1, after line 20, insert:

1.3 "**EFFECTIVE DATE.** This section is effective January 1, 2026, and applies to health  
1.4 plans offered, sold, issued, or renewed on or after that date."

1.5 Page 1, delete section 2 and insert:

1.6 "Sec. .... Minnesota Statutes 2022, section 62D.12, subdivision 19, is amended to read:

1.7 Subd. 19. **Coverage of service.** A health maintenance organization may not deny or  
1.8 limit coverage of a service which the enrollee has already received solely on the basis of  
1.9 lack of prior authorization or second opinion, to the extent that the service would otherwise  
1.10 have been covered under the member's contract by the health maintenance organization had  
1.11 prior authorization or second opinion been obtained. This subdivision expires December  
1.12 31, 2025, for health plans offered, sold, issued, or renewed on or after that date.

1.13 Sec. .... Minnesota Statutes 2022, section 62M.01, subdivision 3, is amended to read:

1.14 Subd. 3. **Scope.** (a) Nothing in this chapter applies to review of claims after submission  
1.15 to determine eligibility for benefits under a health benefit plan. The appeal procedure  
1.16 described in section 62M.06 applies to any complaint as defined under section 62Q.68,  
1.17 subdivision 2, that requires a medical determination in its resolution.

1.18 (b) This chapter does not apply to managed care plans or county-based purchasing plans  
1.19 when the plan is providing coverage to state public health care program enrollees under  
1.20 chapter 256B or 256L. This paragraph expires December 31, 2025, for health plans offered,  
1.21 sold, issued, or renewed on or after that date.

1.22 (c) Effective January 1, 2026, and applicable to health plans offered, sold, issued, or  
1.23 renewed on or after that date, this chapter applies to services delivered through fee-for-service

2.1 under chapter 256B, and to managed care plans and county-based purchasing plans when  
 2.2 the plan is providing coverage to state public health care program enrollees under chapter  
 2.3 256B or 256L."

2.4 Page 2, after line 13, insert:

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

2.6 Page 3, after line 26, insert:

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

2.8 Page 3, line 29, before "A utilization", insert "This subdivision is effective January 1,  
 2.9 2026, and applies to health plans offered, sold, issued, or renewed on or after that date."

2.10 Page 5, after line 6, insert:

2.11 **"Clauses (2) to (8) are effective January 1, 2026, and apply to health plans offered, sold,**  
 2.12 **issued, or renewed on or after that date."**

2.13 Page 5, line 9, before "An authorization" insert "This subdivision is effective January  
 2.14 1, 2026, and applies to health plans offered, sold, issued, or renewed on or after that date."

2.15 Page 5, line 15, before "No utilization" insert "This subdivision is effective January 1,  
 2.16 2026, and applies to health plans offered, sold, issued, or renewed on or after that date."

2.17 Page 5, delete section 9

2.18 Page 7, delete section 10 and insert:

2.19 "Sec. .... Minnesota Statutes 2022, section 62M.17, subdivision 2, is amended to read:

2.20 Subd. 2. **Effect of change in prior authorization clinical criteria.** (a) If, during a plan  
 2.21 year, a utilization review organization changes coverage terms for a health care service or  
 2.22 the clinical criteria used to conduct prior authorizations for a health care service, the change  
 2.23 in coverage terms or change in clinical criteria shall not apply until the next plan year for  
 2.24 any enrollee who received prior authorization for a health care service using the coverage  
 2.25 terms or clinical criteria in effect before the effective date of the change.

2.26 (b) Paragraph (a) does not apply if a utilization review organization changes coverage  
 2.27 terms for a drug or device that has been deemed unsafe by the United States Food and Drug  
 2.28 Administration (FDA); that has been withdrawn by either the FDA or the product  
 2.29 manufacturer; or when an independent source of research, clinical guidelines, or  
 2.30 evidence-based standards has issued drug- or device-specific warnings or recommended  
 2.31 changes in drug or device usage.

3.1 (c) Paragraph (a) does not apply if a utilization review organization changes coverage  
 3.2 terms for a service or the clinical criteria used to conduct prior authorizations for a service  
 3.3 when an independent source of research, clinical guidelines, or evidence-based standards  
 3.4 has recommended changes in usage of the service for reasons related to patient harm. This  
 3.5 paragraph expires December 31, 2025, for health plans offered, sold, issued, or renewed on  
 3.6 or after that date.

3.7 (d) Effective January 1, 2026, and applicable to health plans offered, sold, issued, or  
 3.8 renewed on or after that date, paragraph (a) does not apply if a utilization review organization  
 3.9 changes coverage terms for a service or the clinical criteria used to conduct prior  
 3.10 authorizations for a service when an independent source of research, clinical guidelines, or  
 3.11 evidence-based standards has recommended changes in usage of the service for reasons  
 3.12 related to previously unknown and imminent patient harm.

3.13 ~~(d)~~ (e) Paragraph (a) does not apply if a utilization review organization removes a brand  
 3.14 name drug from its formulary or places a brand name drug in a benefit category that increases  
 3.15 the enrollee's cost, provided the utilization review organization (1) adds to its formulary a  
 3.16 generic or multisource brand name drug rated as therapeutically equivalent according to  
 3.17 the FDA Orange Book, or a biologic drug rated as interchangeable according to the FDA  
 3.18 Purple Book, at a lower cost to the enrollee, and (2) provides at least a 60-day notice to  
 3.19 prescribers, pharmacists, and affected enrollees."

3.20 Page 9, after line 15, insert:

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

3.22 Page 9, line 26, after "care" insert ", including recommendations for a prior authorization  
 3.23 exemption process for providers and group practices that have an authorization rate for all  
 3.24 submitted requests for authorization at or above a level determined by the commissioner as  
 3.25 qualifying for the exemption"

3.26 Page 9, line 30, delete "January" and insert "December"

3.27 Page 10, delete section 15

3.28 Renumber the sections in sequence and correct the internal references

3.29 Amend the title accordingly