

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1268  
**Version:** First engrossment

**DATE:** March 25, 2015

**Authors:** Davids and others

**Subject:** Insurance producers for health insurance consumers

**Analyst:** Jamie Olson (651-296-5043)

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/).

### Overview

This bill defines “agent of record” and requires health carriers to, among other things, allow applicants or policy holders to change their agent of record. The bill also requires MNsure to allow a consumer to retroactively appoint a navigator or agent of record.

#### Section

- 1 **Agent of record.** Amends § 60K.31, by adding subdivision 1a. Defines “agent of record.”
- 2 **Agent of record agreement.** Amends § 60K.31, by adding subdivision 1b. Defines “agent of record agreement.”
- 3 **Qualified health plans.** Amends § 60K.58, by adding subdivision 4. (a) Requires a health carrier that pays commission or service fees to licensed producers appointed by the health carrier to (1) accommodate a policyholder or applicant for coverage by allowing that person to select or change the agent of record on the first of any month after receipt of an agent of record letter; and (2) pay the health carrier’s standard commission and service fees to the agent of record for the applicant or policy holder if any rate for a qualified health plan has been approved by the commissioner with costs associated with producer commission included in the filed rate.  

(b) Prohibits a health carrier from offering, renewing, or failing to renew qualified health plans based solely on the commission paying status of the health plan.

(c) States this subdivision does not require a health carrier to pay any commission or service fee with respect to the sale of a qualified health plan unless the rate of the plan has been approved by the commissioner with costs associated with producer commissions included.

**Section**

- 4**      **Agent of insurer.** Amends § 60K.49, subdivision 1. Excludes agents of record under section 60K.31, subdivision 1a and 1b from the statement that a person performing acts requiring a producer license under chapter 60K is at all times the agent of the insurer and not the insured.
- 5**      **MNsure; consumer retroactive appointment of a navigator or producer permitted.**  
Adds § 62V.051. Requires MNsure to permit a consumer to retroactively appoint a navigator or insurance producer to represent, advise, and advocate on behalf of the consumer, notwithstanding any other law.
- 6**      **Effective date.** States sections 1 to 5 are effective the day following final enactment.