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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1388**

02/18/2019 Authored by Hornstein

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health care; modifying coverage under the AIDS drug assistance
1.3 program; amending Minnesota Statutes 2018, section 256.9365.

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

1.5 Section 1. Minnesota Statutes 2018, section 256.9365, is amended to read:

1.6 **256.9365 PURCHASE OF CONTINUATION COVERAGE FOR AIDS PATIENTS**
1.7 **HEALTH CARE COVERAGE FOR PERSONS LIVING WITH HIV.**

1.8 Subdivision 1. **Program established.** The commissioner of human services shall establish
1.9 a program to pay ~~private~~ health plan premiums and cost-sharing for prescription drugs,
1.10 including co-payments, deductibles, and co-insurance for persons who have contracted
1.11 human immunodeficiency virus (HIV) to enable them to continue coverage under a group
1.12 or enrollment into an individual health plan. If a person is determined to be eligible under
1.13 subdivision 2, the commissioner shall pay ~~the portion of the group plan premium for which~~
1.14 ~~the individual is responsible, if the individual is responsible for at least 50 percent of the~~
1.15 ~~cost of the premium, or pay the individual plan premium~~ the health plan premiums and any
1.16 co-payments, deductibles, or co-insurance costs for any prescription drug covered under
1.17 the program's formulary that are the responsibility of the person, including any cost-sharing
1.18 requirements under section 256B.0631. The commissioner shall not pay for that portion of
1.19 a premium that is attributable to other family members or dependents or is paid by the
1.20 person's employer.

1.21 Subd. 2. **Eligibility requirements.** To be eligible for the program, an applicant must
1.22 ~~satisfy the following requirements:~~

2.1 ~~(1) the applicant must provide a physician's, advanced practice registered nurse's, or~~
2.2 ~~physician assistant's statement verifying that the applicant is infected with HIV and is, or~~
2.3 ~~within three months is likely to become, too ill to work in the applicant's current employment~~
2.4 ~~because of HIV-related disease;~~

2.5 ~~(2) the applicant's monthly gross family income must not exceed 300 percent of the~~
2.6 ~~federal poverty guidelines, after deducting medical expenses and insurance premiums;~~

2.7 ~~(3) the applicant must not own assets with a combined value of more than \$25,000; and~~

2.8 ~~(4) if applying for payment of group plan premiums, the applicant must be covered by~~
2.9 ~~an employer's or former employer's group insurance plan enroll in and meet all eligibility~~
2.10 ~~requirements for the Minnesota Ryan White HIV/AIDS Program, Part B, including income,~~
2.11 ~~HIV verification, and residency.~~

2.12 Subd. 3. **Cost-effective coverage.** Requirements for the payment of individual plan
2.13 premiums under ~~subdivision 2, clause (5)~~ this section, must be designed to ensure that the
2.14 state cost of paying an individual plan premium does not exceed the estimated state cost
2.15 that would otherwise be incurred in the medical assistance program. The commissioner
2.16 shall purchase the most cost-effective coverage available for eligible individuals.