



Protecting, maintaining and improving the health of all Minnesotans

Joint Communication from the Minnesota Department of Health, Minnesota Department of Commerce, and Minnesota Department of Labor and Industry

Important Notice Regarding Minnesota Statutes, section 62J.536

To: Health care group purchasers (payers) licensed or doing business in Minnesota

From: This is a joint communication from three Minnesota state agencies: The Departments of Health, Commerce, and Labor and Industry.

James Golden, Director, Division of Health Policy, Minnesota Department of Health (MDH)

Manny Munson-Regala, Deputy Commissioner, Market Assurance Division, Minnesota Department of Commerce

Patricia Todd, Assistant Commissioner, Minnesota Department of Labor and Industry

Date: November 25, 2009

Re.: MDH Implementation and Compliance Update #2: *Payers (or their agents) may not charge for receiving a standard transaction*

Please route the attached Minnesota Department of Health (MDH) "Implementation and Compliance Update #2" to the appropriate person(s) in your organization for their review.

Background and purpose of this communication

- The Minnesota Department of Health (MDH) is charged with implementing and enforcing Minnesota Statutes, section 62J.536. The statute requires all health care "group purchasers" (payers) and all health care providers to exchange three types of health care administrative transactions electronically, using a single, uniform data content and format, effective in 2009. In addition, the Minnesota Department of Commerce and the Department of Labor and Industry administer additional statutory requirements for electronic claims submission, consistent with MS § 62J.536.
- The attached Implementation and Compliance Update #2 contains important information and clarifications regarding Minnesota Statutes § 62J.536. In particular, Subd. 1f of the statute states: "*Group purchasers may not impose any fee on providers for the use of the transactions prescribed in this subdivision.*" MDH has become aware that some payers, or their agents such as health care clearinghouses and others, are charging fees for receiving standard, electronic, Minnesota-compliant transactions that are contrary to the statutory provision above. Payers are responsible for ensuring that they, and anyone acting on their behalf, comply with the statute. **Payers not in compliance must immediately take any actions needed to come into compliance.**

See reverse for contact information if you have questions.

** P.O. Box 64975 * Saint Paul, Minnesota 55164-0975 **

General Information: (651) 201-5000 * TDD/TTY: (651) 201-5797 * Minnesota Relay Service: (800) 627-3529 * www.health.state.mn.us

For directions to any of the MDH locations, call (651) 201-5000 * An equal opportunity employer

**Contacts for questions or additional information regarding
MDH “Implementation and Compliance Update #2: *Payers (or their agents) may
not charge for receiving a standard transaction*”**

Minnesota Department of Health

David K. Haugen,
Email: david.haugen@state.mn.us
651-201-3573

Minnesota Department of Commerce

John Gross
Email: John.Gross@state.mn.us
Phone: 651/297-2319

Sherri Mortensen Brown
Email: Sherri.Mortensen-Brown@state.mn.us
Phone: 651/296-4024

Minnesota Department of Labor and Industry

Lisa Wichterman
Phone: 651/284-5173
Email: Lisa.Wichterman@state.mn.us