

CHAPTER 191—H.F.No. 1221

An act relating to education; allowing school districts to be considered providers under the state medical assistance plan; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Section 1. [124.90] MEDICAL ASSISTANCE PAYMENTS TO SCHOOL DISTRICTS.

Subdivision 1. ELIGIBILITY. A school district may enroll as a provider in the medical assistance program and receive medical assistance payments for covered special education services provided to persons eligible for medical assistance under chapter 256B. To receive medical assistance payments, the school district must comply with relevant provisions of state and federal statutes and regulations governing the medical assistance program.

Subd. 2. FUNDING. A school district that provides a covered service to an eligible person and complies with relevant requirements of the medical assistance program shall be entitled to receive payment for the service provided, including that portion of the payment that will subsequently be reimbursed by the federal government, in the same manner as other medical assistance providers. The school district is not required to provide matching funds or pay part of the costs of the service, as long as the rate charged for the service does not exceed medical assistance limits that apply to all medical assistance providers.

Subd. 3. CONTRACT FOR SERVICES. A school district may contract for the provision of medical assistance-covered services, and may contract with a third party agency to assist in administering and billing for these services.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective July 1, 1989.

Presented to the governor May 18, 1989

Signed by the governor May 19, 1989, 8:46 p.m.

CHAPTER 192—H.F.No. 1560

An act relating to natural resources; authorizing the Elephant Creek impoundment in St. Louis county.

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

Section 1. ELEPHANT CREEK IMPOUNDMENT.

New language is indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. AGREEMENT; PURPOSE. Notwithstanding Minnesota Statutes, section 110.13, or any other law to the contrary, the commissioner of natural resources may enter into a cooperative agreement with the United States Forest Service to construct and maintain a dam and control structure across Elephant Creek in section 18 of township 66 North, range 18 West, St. Louis county, and thereby alter the natural water level and volume of flowage of Elephant Creek. The purpose of this project, to be known as the Elephant Creek Impoundment, is to maintain a permanent impoundment for the benefit of wildlife, recreation, and other public purposes. The project approximates the effects of a former beaver flowage.

Subd. 2. PERMIT. No alteration of the course, current, or cross-section of Elephant Creek or any other public waters may be accomplished without having first obtained a permit from the commissioner under Minnesota Statutes, section 105.42.

Subd. 3. EASEMENT. No lands owned by the state shall be flooded or otherwise affected thereby without having first obtained an easement, lease, license, or permit for such purpose from the commissioner. The granting of such easements, leases, licenses, or permits is hereby authorized.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 18, 1989

Signed by the governor May 19, 1989, 8:30 p.m.

CHAPTER 193—H.F.No. 1353

An act relating to insurance; requiring insurers to pay the insured's deductible first when recovering from an uninsured motorist under a subrogation claim; amending Minnesota Statutes 1988, section 72A.201, subdivision 6.

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

Section 1. Minnesota Statutes 1988, section 72A.201, subdivision 6, is amended to read:

Subd. 6. STANDARDS FOR AUTOMOBILE INSURANCE CLAIMS HANDLING, SETTLEMENT OFFERS, AND AGREEMENTS. In addition to the acts specified in subdivisions 4, 5, 7, 8, and 9, the following acts by an insurer, adjuster, or a self-insured or self-insurance administrator constitute unfair settlement practices:

(1) if an automobile insurance policy provides for the adjustment and settle-

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