

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day after final enactment.

Presented to the governor March 23, 1998

Signed by the governor March 25, 1998, 9:35 a.m.

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**CHAPTER 333—S.F.No. 154**

*An act relating to civil actions; limiting liability for injury related to certain food donations to the state and political subdivisions; amending Minnesota Statutes 1996, section 604A.10, subdivision 2.*

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

Section 1. Minnesota Statutes 1996, section 604A.10, subdivision 2, is amended to read:

Subd. 2. **DONATION; DISTRESSED FOOD.** A food manufacturer, distributor, processor, or a person who donates or collects distressed food to or for the state, a political subdivision, or an institution or facility operated by the state or a political subdivision for any lawful purpose or to or for a nonprofit charitable organization for distribution at no charge to the elderly or needy, or who directly distributes distressed food to the elderly or needy at no charge, is not liable for any injury, including but not limited to injury resulting from the ingesting of the distressed food, unless the injury is caused by the gross negligence, recklessness, or intentional misconduct of the food manufacturer, processor, distributor, or person.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective August 1, 1998, and applies to donations or collections of distressed food on or after the effective date.

Presented to the governor March 23, 1998

Signed by the governor March 25, 1998, 9:40 a.m.

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**CHAPTER 334—H.F.No. 2814**

*An act relating to health; establishing a minimum definition of durable medical equipment; requiring disclosure of covered medical equipment and supplies; proposing coding for new law in Minnesota Statutes, chapter 62Q.*

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

Section 1. **[62Q.66] DURABLE MEDICAL EQUIPMENT COVERAGE.**

No health plan company that covers durable medical equipment may utilize medical coverage criteria for durable medical equipment that limits coverage solely to equipment used in the home.

New language is indicated by underline, deletions by strikeout.

**Sec. 2. [62Q.67] DISCLOSURE OF COVERED DURABLE MEDICAL EQUIPMENT.**

Subdivision 1. DISCLOSURE. A health plan company that covers durable medical equipment shall provide enrollees, and upon request prospective enrollees, written disclosure that includes the information set forth in subdivision 2. The health plan company may include the information in the member contract, certificate of coverage, schedule of payments, member handbook, or other written enrollee communication.

Subd. 2. INFORMATION TO BE DISCLOSED. A health plan company that covers durable medical equipment shall disclose the following information:

(a) general descriptions of the coverage for durable medical equipment, level of coverage available, and criteria and procedures for any required prior authorizations; and

(b) the address and telephone number of a health plan representative whom an enrollee may contact to obtain specific information verbally, or upon request in writing, about prior authorization including criteria used in making coverage decisions and information on limitations or exclusions for durable medical equipment.

**Sec. 3. EFFECTIVE DATE; APPLICATION.**

Sections 1 and 2 are effective January 1, 1999, and apply to health plans issued, renewed, or continued as defined in Minnesota Statutes, section 60A.02, subdivision 2a, to provide coverage to a Minnesota resident on or after that date.

Presented to the governor March 23, 1998

Signed by the governor March 25, 1998, 9:48 a.m.

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**CHAPTER 335—S.F.No. 2550**

*An act relating to financial institutions; regulating solicitation of loans by mailing a check payable to the addressee; proposing coding for new law in Minnesota Statutes, chapter 47.*

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

**Section 1. [47.605] LOAN SOLICITATION; UNREQUESTED CHECKS REGULATED.**

Subdivision 1. DEFINITIONS. (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Facsimile check" means a document that resembles a negotiable check, money order, draft, or other instrument.

(c) "Live check" means a negotiable check, money order, draft, or other instrument that may be used by a consumer to activate a loan.

Subd. 2. UNREQUESTED CHECKS. No financial institution or other lender may offer to make a loan by mailing to a Minnesota resident a live check payable to the addressee, which the addressee is requested to endorse and then cash, deposit, or otherwise

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