



## MNsure Policy on Broker Fees

According to state law, an Insurance Producer (“Agent/Broker”) must not charge a fee for any services rendered in connection with the solicitation, negotiation or servicing of any insurance contract unless the Agent/Broker provides a written disclosure of the fees and appointments to consumers before rendering the services.<sup>i</sup> The Agent/Broker must also adhere to all applicable state laws, rules, and marketplace guidelines regarding fees from an individual or employer group, in addition to commissions as outlined in the contract between you and the Carrier.<sup>ii</sup> **This duty includes, but is not limited to, the following statutory requirements:**

**(e) Any insurance producer assisting an individual or small employer with purchasing coverage through MNsure must disclose, orally and in writing, to the individual or small employer at the time of the first solicitation with the prospective purchaser the following:**

**(1) the health carriers and qualified health plans offered through MNsure that the producer is authorized to sell, and that the producer may not be authorized to sell all the qualified health plans offered through MNsure;**

**(2) that the producer may be receiving compensation from a health carrier for enrolling the individual or small employer into a particular health plan; and**

**(3) that information on all qualified health plans offered through MNsure is available through the MNsure Web site.**

**For purposes of this paragraph, "solicitation" means any contact by a producer, or any person acting on behalf of a producer made for the purpose of selling or attempting to sell coverage through MNsure. If the first solicitation is made by telephone, the disclosures required under this paragraph need not be made in writing, but the fact that disclosure has been made must be acknowledged on the application.<sup>iii</sup>**

While nothing in state or federal law specifically prohibits MNsure Certified Agents and Brokers (insurance producers) from charging a fee for enrollment assistance on health plans sold through the MNsure marketplace, MNsure encourages Agent/Brokers to consider the financial situation of individuals who may be eligible for public assistance when determining whether to charge a fee, and if so, the amount.

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<sup>i</sup> Minn. Stat. § 60K.46 subd. 2.

<sup>ii</sup> See *generally*, Minn. Stat. Ch. 60K, *including*, Minn. Stat. § 60K.46 subd. 3.

<sup>iii</sup> Minn. Stat. § 62V.05, subd. 3(e).

