

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 513

An Act to amend and reenact § 32.1-351.1 of the Code of Virginia, relating to children's health insurance through employer-sponsored health insurance programs.

[H 2297]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-351.1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-351.1. Assistance with employer-sponsored health insurance.

A. For purposes of this chapter, "employer-sponsored health insurance" or "ESHI" means comprehensive health insurance offered by the employer when the employer contributes at least fifty percent towards the cost of dependent or family coverage *as defined in the Virginia Plan for Title XXI of the Social Security Act*, or as otherwise approved by the ~~Health Care Financing Administration~~ *Centers for Medicare & Medicaid Services* in the U.S. Department of Health and Human Services.

B. For purposes of this chapter, ESHI shall be deemed cost-effective when the payment by the Department of Medical Assistance Services for health insurance coverage of the enrollee or enrollees under the Family Access to Medical Insurance Security Plan shall be no greater than what would have otherwise been paid by the Department or its designee for the enrollee or enrollees.

C. If a family chooses to participate in ESHI and ESHI is deemed cost-effective, the Department of Medical Assistance Services shall contribute to the cost of ESHI for eligible dependent children for those program participants that have access to ESHI. Participants receiving ESHI under the Family Access to Medical Insurance Security Plan shall apply for the full premium contribution available from the employer. Those eligible for Family Access to Medical Insurance Security Plan with access to ESHI may enroll in their designated ESHI at the first available opportunity and shall be covered under the Family Access to Medical Insurance Security Plan until coverage under ESHI becomes available.

D. For purposes of this chapter, employers who provide health insurance coverage to employees under the Virginia health insurance demonstration project established pursuant to Chapter 11 (§ 32.1-332 et seq.) of this title may meet the requirements of being employers that offer ESHI.

2. That the Department of Medical Assistance Services shall develop an employer contribution for employer-sponsored health insurance under the Family Access to Medical Insurance Security (FAMIS) Plan and submit an amendment to the Centers for Medicare & Medicaid Services for approval of such Plan amendment from the Secretary of Health and Human Services.