

State Corporation Commission

2014 Fiscal Impact Statement

1. Bill Number: SB542

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Martin

3. Committee: Commerce and Labor

4. Title: Navigator regulation.

5. Summary: Health benefit exchanges; regulation of navigators. Requires navigators operating in the Commonwealth on and after September 1, 2014 to be registered with the State Corporation Commission in addition to being certified by the U.S. Dept. of Health and Human Services (HHS). Prohibits navigators from receiving compensation for services as a navigator that are prohibited by federal law. Navigators are required to submit an application to the Commission in a form the Commission prescribes, pay an application fee, and provide a criminal record history. The Commission is authorized to examine and investigate those involved in navigator activities and requires them to report to the Commission (i) any action taken by the HHS, (ii) any felony conviction and, (iii) any administrative action taken in another jurisdiction or by another governmental agency in the Commonwealth. Gives the Commission the ability to determine if the federal standards and qualifications for navigators are sufficient to ensure that navigators can perform their required duties. If the standards and qualifications are found to be insufficient, the Commission shall first work with HHS to propose improvements and if the Commission determines the standards and qualifications remain insufficient, the Commission shall adopt the necessary regulations to ensure that navigators can perform their required duties.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: Fiscal Impact Estimates are Preliminary. See Item 8 below.

8. Fiscal implications: The Bureau of Insurance believes that the provisions of this bill can be implemented with existing resources, and the cost for adjustments to the Bureau's computer systems and website to allow for regulating navigators is expected to be minimal.

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: No

11. Other Comments: Senate Bill 542 contains a delayed effective date of September 1, 2014 to give the Commission the additional time to implement the provisions of the bill. The amendment in the nature of a substitute to Senate Bill 542 is identical to House Bill 1043.

Date: 01/31/14/V. Tompkins
cc: Secretary of Commerce and Trade
Secretary of Health and Human Resources