

# State Corporation Commission

## 2017 Fiscal Impact Statement

**1. Bill Number:** HB2103

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Byron

**3. Committee:** Commerce and Labor

**4. Title:** Health benefit exchange.

**5. Summary:** Health benefit exchange. Repeals provisions that direct the State Corporation Commission and Virginia Department of Health to perform plan management functions, including rate review, as required for participation in the federal health benefit exchange established pursuant to the federal Patient Protection and Affordable Care Act (the Act). Other provisions that refer to the federal health benefit exchange are also eliminated. The measure shall become effective 60 days after the date that the provisions of the Act that provide for the establishment of a federally operated health benefit exchange are repealed or otherwise become unenforceable.

**6. Budget amendment necessary:** No

**7. Fiscal Impact Estimates:** No Fiscal Impact on the State Corporation Commission

**8. Fiscal implications:** None on the State Corporation Commission

**9. Specific agency or political subdivisions affected:** State Corporation Commission Bureau of Insurance; Virginia Department of Health

**10. Technical amendment necessary:** No

**11. Other comments:** House Bill 2103 repeals § 38.2-316.1 of the Code of Virginia, which expanded the rate approval authority of the State Corporation Commission Bureau of Insurance (Bureau) to a number of health insurance markets and products that were not subject to rate approval previously, including small group health plans, all HMO products, and association group plans. The Bureau advised the patron of House Bill 2103 that it is not necessary to repeal § 38.2-316.1 as a condition for removing the Bureau's plan management responsibilities, and the Bureau's expanded rate approval authority could remain if the patron's intention was only the repeal of plan management and dissolution of the Bureau's health benefit exchange functions.

**Date:** 01/30/17/V. Tompkins

Cc: Office of the Secretary of Health and Human Resources