

## 2018 SESSION

INTRODUCED

18103727D

### HOUSE BILL NO. 368

Offered January 10, 2018

Prefiled January 5, 2018

A BILL directing the Commissioner of Insurance to apply for a State Innovation Waiver to allow the sale of certain health benefit plans.

Patron—Rush

Referred to Committee on Commerce and Labor

#### Be it enacted by the General Assembly of Virginia:

1. § 1. That the Commissioner of Insurance shall prepare and submit an application to the federal Center for Medicare & Medicaid Services (CMS) for a State Innovation Waiver under § 1332 of the Patient Protection and Affordable Care Act (P.L. 111-148), as amended, (ACA) that will permit the Commonwealth to pursue an innovative strategy for providing residents with access to high quality, affordable health insurance while retaining the basic protections of the ACA. The waiver shall request approval of a program under which carriers are authorized to offer for sale in the Commonwealth health benefit plans in the individual market, on and off a health benefit exchange established or operated in the Commonwealth pursuant to § 1311(b) of the ACA, that do not provide coverage for all of the essential health benefits required by § 1302(a) of the ACA. The Commissioner of Insurance and other state officials and employees shall take all actions necessary and appropriate to obtain CMS approval of the requested waiver and, upon CMS approval of the waiver request, shall take such actions as are necessary to implement the approved program. The approval by CMS of the waiver request shall constitute an amendment to requirements of the ACA that authorizes the sale of health benefit plans that conform to the terms of the waiver, as provided in § 38.2-3454.1 of the Code of Virginia.

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HB368