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SENATE BILL NO. 671

Offered January 10, 2018

Prefiled January 10, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-3446.1, relating to health carriers; conducting insurance activities conditioned on participation in health benefit exchange.*

Patron—Deeds

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 38.2-3446.1 as follows:****§ 38.2-3446.1. Participation in health benefit exchange condition to conducting insurance-related activities.**

A. As used in this section, "actively participate in the exchange" means offering for sale health benefit plans on any health benefit exchange established or operated in the Commonwealth pursuant to § 1311(b) of PPACA (i) in the individual market; (ii) at the bronze and silver levels, and at any other level at the health carrier's discretion; and (iii) in every locality in the Commonwealth in which the health carrier conducts any activity described in subdivision B 1, 2, or 3.

B. A health carrier that does not actively participate in the exchange commencing with the start of the open enrollment period for 2018-2019 shall not:

1. Engage in this business of insurance in the Commonwealth;

2. Administer, sponsor, sell, or provide any policy, coverage, or services under any program established under state law for current or retired employees of state or local government, including the state employee health insurance plan established under § 2.2-2818, supplemental health coverage program established under § 2.2-2818.1, or health insurance program for employees of localities established under § 2.2-1204; or

3. Administer, sponsor, sell, or provide any policy, coverage, or services under any health benefit plan pursuant to a contract with the Department of Medical Assistance Services, including a managed care program through which medical assistance services are furnished pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1.

INTRODUCED

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