

2018 SESSION

SENATE SUBSTITUTE

18106317D

SENATE BILL NO. 844

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on January 29, 2018

(Patrons Prior to Substitute—Senators Dunnavant and Deeds [SB 671])

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

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 a condition to contracting to provide services under government health programs.

A. As used in this section:

"Actively participate in the exchange" means offering for sale, in every locality in the Commonwealth in which the health carrier conducts any activity described in subdivision B 1 or 2, health benefit plans on the health benefit exchange.

"Exchange" means the health benefit exchange established or operated in the Commonwealth, including the health benefit exchange established or operated by the U.S. Secretary of Health and Human Services, pursuant to § 1311(b) of the PPACA.

B. A health carrier that does not actively participate in the exchange in any period from and after the date that the first open enrollment period for the exchange commences after July 1, 2018, shall not be eligible during any such period to enter into or renew any contract or agreement with the Commonwealth or any agency or political subdivision thereof related to the administration, sponsorship, sale, offering, or provision of services or benefits under:

1. Any managed care program conducted by the Department of Medical Assistance Services through which medical assistance services are furnished pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1; or

2. Any program that provides coverage for health care services for current or retired employees of state or local government, including the state employee health insurance plan established under § 2.2-2818, any supplemental health coverage program established under § 2.2-2818.1, or any health insurance program for employees of localities established under § 2.2-1204.

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SB844S1