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SENATE BILL NO. 964

Offered January 19, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-3446.1, relating to health insurance; catastrophic plans.*

Patrons—Sturtevant, Reeves, Stuart, Black, Carrico, Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Suetterlein, Vogel and Wagner

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. Catastrophic plans.

A. *As used in this section, "catastrophic plan" means a health benefit plan that satisfies the provisions of 42 U.S.C. § 18022(e)(1)(B).*

B. *Notwithstanding any section of this title to the contrary, a catastrophic plan, notwithstanding that it does not provide a bronze, silver, gold, or platinum level of coverage, shall be deemed to (i) provide an essential health benefits package as defined in 42 U.S.C. § 18022(a) and (ii) meet the requirements of § 42 U.S.C. § 18022(d).*

C. *Notwithstanding the limitations in 42 U.S.C. § 18022(e)(2), each health carrier shall offer catastrophic plans in the individual market in every locality in the Commonwealth in which it offers any health benefit plan.*

2. That the Secretary of Health and Human Resources shall by September 1, 2018, apply to the U.S. Secretary of Health and Human Services under 42 U.S.C. § 18052 for a state innovation waiver to implement the first enactment of this act for benefit years beginning January 1, 2020, and future years. The waiver application shall clearly state that the first enactment of this act is contingent on approval of the waiver request. The Secretary of Health and Human Resources shall promptly notify the Governor and the Chairs of the House Committees on Commerce and Labor and Appropriations and the Senate Committees on Commerce and Labor and Finance of any federal actions regarding the waiver request.

3. That the first enactment of this act shall be effective 30 days following the date the Secretary of Health and Human Resources notifies the Governor and the Chairs of the House Committees on Appropriations and Commerce and Labor and the Senate Committees on Finance and Commerce and Labor of federal approval of the state innovation request required to be submitted by the Secretary of Health and Human Resources pursuant to the second enactment of this act.

INTRODUCED

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