

1 S.214

2 Introduced by Senator Ashe

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; Vermont Health Benefit Exchange

6 Statement of purpose of bill as introduced: This bill proposes to allow
7 individuals enrolled in a health insurance plan certified by the Vermont Health
8 Benefit Exchange who do not receive a subsidy to transfer their plan
9 administration, including billing, to the health insurance carrier offering the
10 plan.

11 An act relating to transfer of Exchange plan administration to health
12 insurance carriers

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 33 V.S.A. § 1803(b)(4) is amended to read:

15 (4) To the extent permitted by the U.S. Department of Health and
16 Human Services, the Vermont Health Benefit Exchange shall permit qualified
17 individuals and qualified employers to purchase qualified health benefit plans
18 through the Exchange website, through navigators, by telephone, or directly
19 from a health insurer under contract with the Vermont Health Benefit
20 Exchange. A health insurer enrolling an individual in a health benefit plan

1 directly shall comply with all open enrollment and special enrollment periods
2 applicable to the Vermont Health Benefit Exchange.

3 (A) An individual who enrolled in a plan through the Vermont Health
4 Benefit Exchange during an open enrollment or special enrollment period and
5 who is not receiving a premium tax credit or cost-sharing subsidy may elect to
6 have the health insurer assume plan administration responsibilities, including
7 billing. If an individual elects to have the health insurer assume plan
8 administration responsibilities, the individual shall retain the same plan and
9 product for the remainder of the plan year and the health insurer shall provide
10 credit for all accumulated cost-sharing amounts paid by the individual during
11 the plan year prior to the election.

12 (B) The Department of Vermont Health Access shall cooperate with
13 the health insurer assuming plan administration responsibilities pursuant to this
14 subdivision (b)(4) to ensure that the individual does not experience any
15 coverage gaps during or as a result of the transition.

16 Sec. 2. 33 V.S.A. § 1811 is amended to read:

17 § 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL
18 EMPLOYERS

19 (a) As used in this section:

20 (1) "Health benefit plan" means a health insurance policy, a nonprofit
21 hospital or medical service corporation service contract, or a health

1 maintenance organization health benefit plan ~~offered through~~ certified by the
2 Vermont Health Benefit Exchange and issued to an individual or to an
3 employee of a small employer. The term does not include coverage only for
4 accident or disability income insurance, liability insurance, coverage issued as
5 a supplement to liability insurance, workers' compensation or similar
6 insurance, automobile medical payment insurance, credit-only insurance,
7 coverage for on-site medical clinics, or other similar insurance coverage in
8 which benefits for health services are secondary or incidental to other
9 insurance benefits as provided under the Affordable Care Act. The term also
10 does not include stand-alone dental or vision benefits; long-term care
11 insurance; specific disease or other limited benefit coverage, Medicare
12 supplemental health benefits, Medicare Advantage plans, and other similar
13 benefits excluded under the Affordable Care Act.

14 * * *

15 (b)(1) To the extent permitted by the U.S. Department of Health and
16 Human Services, an individual may purchase a health benefit plan through the
17 Exchange website, through navigators, by telephone, or directly from a
18 registered carrier under contract with the Vermont Health Benefit Exchange, if
19 the carrier elects to make direct enrollment available. A registered carrier
20 enrolling individuals in health benefit plans directly shall comply with all open

1 enrollment and special enrollment periods applicable to the Vermont Health
2 Benefit Exchange.

3 (A) An individual who enrolled in a plan through the Vermont Health
4 Benefit Exchange during an open enrollment or special enrollment period and
5 who is not receiving a premium tax credit or cost-sharing subsidy may elect to
6 have the registered carrier assume plan administration responsibilities,
7 including billing. If an individual elects to have the health insurer assume plan
8 administration responsibilities, the individual shall retain the same plan and
9 product for the remainder of the plan year and the registered carrier shall
10 provide credit for all accumulated cost-sharing amounts paid by the individual
11 during the plan year prior to the election.

12 (B) The Department of Vermont Health Access shall cooperate with
13 the registered carrier assuming plan administration responsibilities pursuant to
14 this subdivision (b)(1) to ensure that the individual does not experience any
15 coverage gaps during or as a result of the transition.

16 * * *

17 (d) A Subject to applicable open enrollment and special enrollment period
18 rules, a registered carrier shall guarantee acceptance of all individuals, small
19 employers, and employees of small employers, and each dependent of such
20 individuals and employees, for any health benefit plan offered by the carrier.

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