

S.214

An act relating to large group insurance

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

Sec. 1. 33 V.S.A. § 1802 is amended to read:

§ 1802. DEFINITIONS

As used in this subchapter:

* * *

(5) “Qualified employer”:

(A) means an entity which employed an average of not more than 50 employees on working days during the preceding calendar year and which:

(i) has its principal place of business in this State and elects to provide coverage for its eligible employees through the Vermont Health Benefit Exchange, regardless of where an employee resides; or

(ii) elects to provide coverage through the Vermont Health Benefit Exchange for all of its eligible employees who are principally employed in this State;

(B) on and after January 1, 2016, shall include an entity which:

(i) employed an average of not more than 100 employees on working days during the preceding calendar year; and

(ii) meets the requirements of subdivisions (A)(i) and (A)(ii) of this subdivision (5);

(C) ~~on and after January 1, 2018, shall include all employers meeting the requirements of subdivisions (A)(i) and (ii) of this subdivision (5), regardless of size. [Repealed.]~~

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Sec. 2. 33 V.S.A. § 1804 is amended to read:

§ 1804. QUALIFIED EMPLOYERS

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(b)(1) ~~From~~ On and after January 1, 2016 ~~until January 1, 2017~~, a qualified employer shall be an entity which employed an average of not more than 100 employees on working days during the preceding calendar year and the term “qualified employer” includes self-employed persons to the extent permitted under the Affordable Care Act. The number of employees shall be calculated using the method set forth in 26 U.S.C. § 4980H(c)(2).

(2) An employer with 100 or fewer employees that offers a qualified health benefit plan to its employees through the Vermont Health Benefit Exchange may continue to participate in the Exchange even if the employer’s size grows beyond 100 employees as long as the employer continuously makes qualified health benefit plans in the Vermont Health Benefit Exchange available to its employees.

(c) ~~On and after January 1, 2018, a qualified employer shall be an employer of any size which elects to make all of its full time employees eligible for one~~

~~or more qualified health plans offered in the Vermont Health Benefit~~

~~Exchange, and the term “qualified employer” includes self-employed persons.~~

~~A full-time employee shall be an employee who works more than 30 hours per
week. [Repealed.]~~