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H.821

Introduced by Representatives Botzow of Pownal, Corcoran of Bennington,  
Miller of Shaftsbury, Morris of Bennington, and Morrissey of  
Bennington

Referred to Committee on

Date:

Subject: Insurance; State liability coverage; health care navigators

Statement of purpose of bill as introduced: This bill proposes to provide health  
care navigators with liability coverage through the State of Vermont.

An act relating to liability coverage for health care navigators

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

Sec. 1. 33 V.S.A. § 1807 is amended to read:

§ 1807. NAVIGATORS

(a)(1) The Vermont Health Benefit Exchange shall establish a navigator  
program to assist individuals and employers in enrolling in a qualified health  
benefit plan offered under the Vermont Health Benefit Exchange. The  
Vermont Health Benefit Exchange shall select individuals and entities  
qualified to serve as navigators and shall award grants to navigators for the  
performance of their duties.

1           (2) The Vermont Health Benefit Exchange shall ensure that navigators  
2           are available to provide assistance in person or through interactive technology  
3           to individuals in all regions of the State in a manner that complies with the  
4           Americans with Disabilities Act.

5           (3) Consistent with Section 1311(i)(4) of the Affordable Care Act,  
6           health insurers shall not serve as navigators, and no navigator shall receive any  
7           compensation from a health insurer in connection with enrolling individuals or  
8           employees in qualified health benefit plans.

9           (b) Navigators shall have the following duties:

10           (1) conduct public education activities to raise awareness of the  
11           availability of qualified health benefit plans;

12           (2) distribute fair and impartial information concerning enrollment in  
13           qualified health benefit plans and concerning the availability of premium tax  
14           credits and cost-sharing reductions;

15           (3) facilitate enrollment in qualified health benefit plans, Medicaid,  
16           Dr. Dynasaur, VPharm, and other public health benefit programs;

17           (4) provide referrals to the Office of the Health Care Advocate and any  
18           other appropriate agency for any enrollee with a grievance, complaint, or  
19           question regarding his or her health benefit plan, coverage, or a determination  
20           under that plan or coverage;

1           (5) provide information in a manner that is culturally and linguistically  
2 appropriate to the needs of the population being served by the Vermont Health  
3 Benefit Exchange;

4           (6) distribute information to health care professionals, community  
5 organizations, and others to facilitate the enrollment of individuals who are  
6 eligible for Medicaid, Dr. Dynasaur, VPharm, other public health benefit  
7 programs, or the Vermont Health Benefit Exchange in order to ensure that all  
8 eligible individuals are enrolled; and

9           (7) provide information about and facilitate employers' establishment of  
10 cafeteria or premium-only plans under Section 125 of the Internal Revenue  
11 Code that allow employees to pay for health insurance premiums with pretax  
12 dollars.

13           (c) Actions taken by a navigator pursuant to his or her authority under this  
14 section shall be considered to be actions taken by a State employee for the  
15 purposes of 3 V.S.A. chapter 29 and 12 V.S.A. chapter 189, provided such  
16 actions occurred within the scope of the navigator's duties.

17 Sec. 2. EFFECTIVE DATE

18           This act shall take effect on passage.