

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred House Bill No. 696
3 entitled “An act relating to establishing a State individual mandate”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 32 V.S.A. chapter 244 is added to read:

8 CHAPTER 244. REQUIREMENT TO MAINTAIN

9 MINIMUM ESSENTIAL COVERAGE

10 § 10451. DEFINITIONS

11 As used in this chapter:

12 (1) “Applicable individual” means, with respect to any month, an
13 individual other than the following:

14 (A) an individual with a religious conscience exemption;

15 (B) an individual not lawfully present in the United States; or

16 (C) an individual for any month if for the month the individual is
17 incarcerated, other than incarceration pending the disposition of charges.

18 (2) “Eligible employer-sponsored plan” shall have the same meaning as
19 in 26 U.S.C. § 5000A, as amended, and as in effect on December 31, 2017, and
20 any related regulations.

1 (3)(A) “Minimum essential health coverage” shall have the same
2 meaning as in 26 U.S.C. § 5000A, as amended, and as in effect on December
3 31, 2017, and any related regulations.

4 § 10452. REQUIREMENT TO MAINTAIN MINIMUM ESSENTIAL
5 COVERAGE

6 An applicable individual shall ensure that the individual and any dependent
7 of the individual who is also an applicable individual is covered at all times
8 under minimum essential coverage.

9 Sec. 2. INDIVIDUAL MANDATE WORKING GROUP; REPORT

10 (a) Creation. There is created the Individual Mandate Working Group to
11 develop recommendations regarding administration and enforcement of the
12 individual mandate to maintain minimum essential health coverage.

13 (b) Membership. The Working Group shall be composed of the following
14 members:

15 (1) the Secretary of Human Services or designee;

16 (2) the Commissioner of Financial Regulation or designee;

17 (3) the Commissioner of Taxes or designee;

18 (4) the Chair of the Green Mountain Care Board or designee;

19 (5) the Chief Health Care Advocate or designee; and

20 (6) one representative of each health insurer offering qualified health
21 benefit plans through the Vermont Health Benefit Exchange.

1 (c) Powers and duties. The Working Group shall develop
2 recommendations regarding administration and enforcement of the individual
3 mandate to maintain minimum essential health coverage, including:

4 (1) enforcement mechanisms, such as financial penalties for failure to
5 maintain minimum essential health coverage;

6 (2) additional forms of coverage that should or should not be considered
7 minimum essential coverage;

8 (3) exemptions from compliance with the individual mandate, including
9 exemptions related to religion, affordability, hardship, and short gaps in
10 coverage; and

11 (4) procedures for administration of the individual mandate and for
12 collection of any financial penalties by the Department of Taxes.

13 (d) Assistance. The Working Group shall have the administrative,
14 technical, and legal assistance of the Green Mountain Care Board, the
15 Department of Vermont Health Access, the Department of Financial
16 Regulation, and the Department of Taxes.

17 (e) Report. On or before November 1, 2018, the Working Group shall
18 provide its recommendations for administration and enforcement of the
19 individual mandate to the House Committees on Health Care and on Ways and
20 Means, the Senate Committees on Health and Welfare and on Finance, the
21 Joint Fiscal Committee, and the Health Reform Oversight Committee.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

(f) Meetings.

(1) The Chair of the Green Mountain Care Board or designee shall call the first meeting of the Working Group to occur on or before July 1, 2018.

(2) The Working Group shall cease to exist on January 1, 2019.

Sec. 3. EFFECTIVE DATES

(a) Sec. 1 (32 V.S.A. chapter 144) shall take effect on January 1, 2019.

(b) Secs. 2 (Individual Mandate Working Group) and this section shall take effect on passage.

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE