

1 Introduced by Committee on Health Care

2 Date:

3 Subject: Health; Green Mountain Care Board; hospitals; health insurance;
4 accountable care organizations; billback

5 Statement of purpose of bill as introduced: This bill proposes to revise the
6 formula under which the Green Mountain Care Board assesses regulated health
7 care industries for certain costs associated with their regulation.

8 An act relating to the Green Mountain Care Board’s billback formula

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

10 Sec. 1. 18 V.S.A. § 9374(h) is amended to read:

11 (h)(1) The Board may assess and collect from each regulated entity the
12 actual costs incurred by the Board, including staff time and contracts for
13 professional services, in carrying out its regulatory duties for health insurance
14 rate review under 8 V.S.A. § 4062, hospital budget review under chapter 221,
15 subchapter 7 of this title, and accountable care organization certification and
16 budget review under section 9382 of this title.

17 (2)(A) Except In addition to the assessment and collection of actual
18 costs pursuant to subdivision (1) of this subsection and except as otherwise
19 provided in subdivision (2) subdivisions (2)(C) and (3) of this subsection, all
20 other expenses incurred to obtain information, analyze expenditures, review

1 ~~hospital budgets, and for any other contracts authorized by~~ of the Board shall
2 be borne as follows:

3 ~~(A)(i)~~ 40 percent by the State from State monies;

4 ~~(B)(ii)~~ ~~15~~ 30 percent by the hospitals;

5 ~~(C)(iii)~~ ~~15~~ 24 percent by nonprofit hospital and medical service
6 corporations licensed under 8 V.S.A. chapter 123 or 125;

7 ~~(D)~~ ~~15 percent by~~, health insurance companies licensed under
8 8 V.S.A. chapter 101; and

9 ~~(E)~~ ~~15 percent by~~, health maintenance organizations licensed under
10 8 V.S.A. chapter 139; and

11 (iv) six percent by accountable care organizations certified under
12 section 9382 of this title.

13 (B) Expenses under subdivision (A)(iii) of this subdivision (2) shall
14 be allocated to persons licensed under Title 8 based on premiums paid for
15 health care coverage, which for the purposes of this subdivision (2) shall
16 include major medical, comprehensive medical, hospital or surgical coverage,
17 and comprehensive health care services plans, but shall not include long-term
18 care, limited benefits, disability, credit or stop loss, or excess loss insurance
19 coverage.

20 (C) Expenses incurred by the Board for regulatory duties associated
21 with certificates of need shall be assessed pursuant to the provisions of section

1 9441 of this title and not in accordance with the formula set forth in
2 subdivision (A) of this subdivision (2).

3 (D) Expenses incurred by the Commissioner of Health in developing
4 statewide comparative hospital quality reports under section 9405b of this title
5 shall be assessed and collected by the Board in accordance with the formula set
6 forth in subdivision (A) of this subdivision (2).

7 ~~(2)~~(3) The Board may determine the scope of the incurred expenses to
8 be allocated pursuant to the formula set forth in subdivision ~~(4)~~(2) of this
9 subsection if, in the Board's discretion, the expenses to be allocated are in the
10 best interests of the regulated entities and of the State.

11 ~~(3) Expenses under subdivision (1) of this subsection shall be billed to~~
12 ~~persons licensed under Title 8 based on premiums paid for health care~~
13 ~~coverage, which for the purposes of this section shall include major medical,~~
14 ~~comprehensive medical, hospital or surgical coverage, and comprehensive~~
15 ~~health care services plans, but shall not include long term care or limited~~
16 ~~benefits, disability, credit or stop loss, or excess loss insurance coverage.~~

17 (4) If the amount of the proportional assessment to any entity calculated
18 in accordance with the formula set forth in subdivision (2)(A) of this
19 subsection would be less than \$150.00, the Board shall assess the entity a
20 minimum fee of \$150.00. The Board shall apply the amounts collected based
21 on the difference between each applicable entity's proportional assessment

1 amount and \$150.00 to reduce the total amount assessed to the regulated
2 entities pursuant to subdivisions (2)(A)(ii)–(iv) of this subsection.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2018.