

House Bill 2128

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Insurance Exchange Corporation and Oregon Educators Benefit Board to reach agreement on plans offered through exchange to educators. Requires that same rate apply to plans offered by board outside of exchange as identical plan offered through exchange.

A BILL FOR AN ACT

1
2 Relating to health benefit plans for Oregon educators; amending ORS 741.310.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 741.310, as amended by section 10, chapter 38, Oregon Laws 2012, and section
5 96, chapter 107, Oregon Laws 2012, is amended to read:

6 741.310. (1) The following individuals and groups may purchase qualified health plans through
7 the health insurance exchange:

8 (a) Beginning January 1, 2014:

9 (A) Individuals and families; and

10 (B) Employers with no more than 50 employees.

11 (b) Beginning October 1, 2015, districts and eligible employees of districts that are subject to
12 ORS 243.886, unless their participation is precluded by federal law.

13 (c) Beginning January 1, 2016, employers with 51 to 100 employees.

14 (2)(a) Only individuals who purchase health plans through the exchange may be eligible to re-
15 ceive premium tax credits under section 36B of the Internal Revenue Code and reduced cost-sharing
16 under 42 U.S.C. 18071.

17 (b) Only employers that purchase health plans through the exchange may be eligible to receive
18 small employer health insurance credits under section 45R of the Internal Revenue Code.

19 (3) Only an insurer that has a certificate of authority to transact insurance in this state and
20 that meets applicable federal requirements for participating in the exchange may offer a qualified
21 health plan through the exchange. Any qualified health plan must be certified under subsection (4)
22 of this section. Prepaid managed care health services organizations that do not have a certificate
23 of authority to transact insurance may serve only medical assistance recipients through the ex-
24 change and may not offer qualified health plans.

25 (4)(a) The Oregon Health Insurance Exchange Corporation shall adopt by rule uniform require-
26 ments, standards and criteria for the certification of qualified health plans, including requirements
27 that a qualified health plan provide, at a minimum, essential health benefits and have acceptable
28 consumer and provider satisfaction ratings.

29 (b) The corporation may limit the number of qualified health plans that may be offered through
30 the exchange as long as the same limit applies to all insurers.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) The corporation [*shall consult with stakeholders, including but not limited to representatives*
 2 *of school administrators, school board members and school employees, regarding*] **and the Oregon**
 3 **Educators Benefit Board must agree on** the plans that may be offered through the exchange to
 4 districts and eligible employees of districts under subsection (1)(b) of this section.

5 (5) Notwithstanding subsection (4) of this section, the corporation shall certify as qualified a
 6 dental only health plan as permitted by federal law.

7 (6) The corporation shall establish one streamlined and seamless application and enrollment
 8 process for both the exchange and the state medical assistance program.

9 (7) The corporation, in collaboration with the appropriate state authorities, may establish risk
 10 mediation programs within the exchange.

11 (8) The corporation shall establish by rule a process for certifying insurance producers to fa-
 12 cilitate the transaction of insurance through the exchange, in accordance with federal standards and
 13 policies.

14 (9) The corporation shall ensure, as required by federal laws, that an insurer charges the same
 15 premiums for plans sold through the exchange as for identical plans sold outside of the exchange,
 16 **including plans purchased by the Oregon Educators Benefit Board outside of the exchange.**

17 (10) The corporation is authorized to enter into contracts for the performance of duties, func-
 18 tions or operations of the exchange, including but not limited to contracting with:

19 (a) All insurers that meet the requirements of subsections (3) and (4) of this section, to offer
 20 qualified health plans through the exchange; and

21 (b) Navigators certified by the corporation under ORS 741.002.

22 (11) The corporation is authorized to apply for and accept federal grants, other federal funds
 23 and grants from nongovernmental organizations for purposes of developing, implementing and ad-
 24 ministering the exchange. Moneys received under this subsection shall be deposited in an account
 25 established under ORS 741.101.

26 **SECTION 2.** ORS 741.310, as amended by section 12, chapter 415, Oregon Laws 2011, section
 27 11, chapter 38, Oregon Laws 2012, and section 97, chapter 107, Oregon Laws 2012, is amended to
 28 read:

29 741.310. (1) The following individuals and groups may purchase qualified health plans through
 30 the health insurance exchange:

31 (a) Individuals and families;

32 (b) Employers with no more than 100 employees; and

33 (c) Districts and eligible employees of districts that are subject to ORS 243.886, unless their
 34 participation is precluded by federal law.

35 (2)(a) Only individuals who purchase health plans through the exchange may be eligible to re-
 36 ceive premium tax credits under section 36B of the Internal Revenue Code and reduced cost-sharing
 37 under 42 U.S.C. 18071.

38 (b) Only employers that purchase health plans through the exchange may be eligible to receive
 39 small employer health insurance credits under section 45R of the Internal Revenue Code.

40 (3) Only an insurer that has a certificate of authority to transact insurance in this state and
 41 that meets applicable federal requirements for participating in the exchange may offer a qualified
 42 health plan through the exchange. Any qualified health plan must be certified under subsection (4)
 43 of this section. Prepaid managed care health services organizations that do not have a certificate
 44 of authority to transact insurance may serve only medical assistance recipients through the ex-
 45 change and may not offer qualified health plans.

1 (4)(a) The Oregon Health Insurance Exchange Corporation shall adopt by rule uniform require-
 2 ments, standards and criteria for the certification of qualified health plans, including requirements
 3 that a qualified health plan provide, at a minimum, essential health benefits and have acceptable
 4 consumer and provider satisfaction ratings.

5 (b) The corporation may limit the number of qualified health plans that may be offered through
 6 the exchange as long as the same limit applies to all insurers.

7 (c) The corporation [*shall consult with stakeholders, including but not limited to representatives*
 8 *of school administrators, school board members and school employees, regarding*] **and the Oregon**
 9 **Educators Benefit Board must agree on** the plans that may be offered through the exchange to
 10 districts and eligible employees of districts under subsection (1)(c) of this section.

11 (5) Notwithstanding subsection (4) of this section, the corporation shall certify as qualified a
 12 dental only health plan as permitted by federal law.

13 (6) The corporation shall establish one streamlined and seamless application and enrollment
 14 process for both the exchange and the state medical assistance program.

15 (7) The corporation, in collaboration with the appropriate state authorities, may establish risk
 16 mediation programs within the exchange.

17 (8) The corporation shall establish by rule a process for certifying insurance producers to fa-
 18 cilitate the transaction of insurance through the exchange, in accordance with federal standards and
 19 policies.

20 (9) The corporation shall ensure, as required by federal laws, that an insurer charges the same
 21 premiums for plans sold through the exchange as for identical plans sold outside of the exchange,
 22 **including plans purchased by the Oregon Educators Benefit Board outside of the exchange.**

23 (10) The corporation is authorized to enter into contracts for the performance of duties, func-
 24 tions or operations of the exchange, including but not limited to contracting with:

25 (a) Insurers that meet the requirements of subsections (3) and (4) of this section, to offer quali-
 26 fied health plans through the exchange; and

27 (b) Navigators certified by the corporation under ORS 741.002.

28 (11) The corporation is authorized to apply for and accept federal grants, other federal funds
 29 and grants from nongovernmental organizations for purposes of developing, implementing and ad-
 30 ministering the exchange. Moneys received under this subsection shall be deposited in an account
 31 established under ORS 741.101.

32