

SENATE BILL NO. 441

INTRODUCED BY C. CHRISTIAENS

BY REQUEST OF THE STATE AUDITOR

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR ~~AN ALTERNATIVE ASSESSMENT ON STOP-LOSS CARRIERS, EXCESS OF LOSS CARRIERS, THE STATE EMPLOYEE HEALTH BENEFIT PLAN, AND THE UNIVERSITY EMPLOYEE HEALTH BENEFIT PLAN~~ A STUDY OF THE FUNDING MECHANISM FOR THE COMPREHENSIVE HEALTH ASSOCIATION PLAN AND ASSOCIATION PORTABILITY PLAN; AMENDING SECTION 33-22-1513, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE EFFECTIVE DATES."

~~WHEREAS, THE MONTANA COMPREHENSIVE HEALTH ASSOCIATION (MCHA) WAS CREATED BY THE MONTANA LEGISLATURE TO PROVIDE ACCESS TO QUALITY HEALTH INSURANCE COVERAGE FOR ALL UNINSURABLE MONTANANS AND FOR INDIVIDUALS WHO LEAVE GROUP HEALTH COVERAGE; AND~~

~~WHEREAS, THE MCHA IS SUPPORTED BY AN ASSESSMENT ON PRIVATE HEALTH INSURANCE CARRIERS AND BY PREMIUMS PAID BY MCHA PARTICIPANTS; AND~~

~~WHEREAS, STOP-LOSS OR EXCESS OF LOSS CARRIERS, THE STATE EMPLOYEE HEALTH BENEFIT PLAN, AND THE UNIVERSITY EMPLOYEE HEALTH BENEFIT PLAN ARE NOT ASSESSED AS PRIVATE INSURANCE CARRIERS ARE FOR THE PURPOSE OF FUNDING THE MCHA; AND~~

~~WHEREAS, THE MCHA MUST INSURE ALL ELIGIBLE MONTANA CITIZENS, REGARDLESS OF WHETHER THE PREVIOUS HEALTH CARRIER CONTRIBUTED TO MCHA; AND~~

~~WHEREAS, THE MCHA PROGRAM ENROLLMENT IS INCREASINGLY SIGNIFICANT AND THE FINANCIAL STABILITY IS AT RISK; AND~~

~~WHEREAS, THE MCHA REQUESTS THIS LEGISLATION TO SERVE AS A VEHICLE TO BRING PARTIES TOGETHER TO CONDUCT AN INTERIM STUDY COORDINATED BY THE STATE AUDITOR AS INSURANCE COMMISSIONER AND THE MCHA TO DISCUSS LONG-TERM FUNDING MECHANISMS TO SUSTAIN THE MCHA.~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:



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2 NEW SECTION. Section 1. Study of funding mechanism. (1) The insurance commissioner, in  
 3 conjunction with the Montana comprehensive health association board of directors AND THE ENTITIES LISTED  
 4 IN SUBSECTION (2), shall study the current funding mechanism of the association that provides for  
 5 assessment on the participating membership of the association. The purpose of the study is to evaluate:

6 (A) THE NEED FOR ALTERNATIVE FUNDING OPTIONS;

7 ~~(a)~~(B) the ADEQUACY OF THE current assessment funding mechanism;

8 ~~(b)~~(C) the participating membership that is assessed and provides the base of funding for the  
 9 association AND THE INDIVIDUALS COVERED BY THE PROGRAM;

10 ~~(c)~~(D) alternative funding mechanisms, which may include a change in the assessment, a change  
 11 in the participating membership, or other alternatives; and

12 ~~(d)~~(E) provider reimbursement rates.

13 (2) The commissioner shall include participation from the following entities in the study, including  
 14 but not limited to:

15 (A) THE ASSOCIATION BOARD OF DIRECTORS;

16 ~~(a)~~(B) HEALTH-RELATED stop-loss or excess of loss carriers;

17 ~~(b)~~(C) the state employee health benefit plan;

18 ~~(c)~~(D) the university employee health benefit plan;

19 ~~(d) the association board of directors;~~

20 ~~(e)~~(E) local government employee benefit plans;

21 ~~(f)~~(F) school district employee benefit plans;

22 (g) consumer advocates;

23 (h) persons enrolled in an association plan; ~~and~~

24 (i) members of the medical community;

25 (J) A REPRESENTATIVE FROM A MULTIPLE EMPLOYER WELFARE ARRANGEMENT; AND

26 (K) A MEMBER OF THE LEGISLATURE.

27 (3) The commissioner, in conjunction with the association AND THE ENTITIES LISTED IN SUBSECTION (2),  
 28 shall bring a ~~proposal~~ ALTERNATIVE PROPOSALS AND ASSOCIATED JUSTIFICATION to the 58th legislature to provide  
 29 for appropriate funding of the association and recommendations regarding alternative assessments or  
 30 funding mechanisms.

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