



General Assembly

January Session, 2013

Amendment

LCO No. 7413

SB0059607413SR0

Offered by:
SEN. KELLY, 21st Dist.

To: Senate Bill No. 596

File No. 3

Cal. No. 38

**"AN ACT CONCERNING THE DUTIES OF THE CONNECTICUT
HEALTH INSURANCE EXCHANGE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (c) of section 38a-1083 of the general statutes
4 is repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2013*):

6 (c) The exchange is authorized and empowered to:

7 (1) Have perpetual successions as a body politic and corporate and
8 to adopt bylaws for the regulation of its affairs and the conduct of its
9 business;

10 (2) Adopt an official seal and alter the same at pleasure;

11 (3) Maintain an office in the state at such place or places as it may
12 designate;

13 (4) Employ such assistants, agents, managers and other employees
14 as may be necessary or desirable;

15 (5) Acquire, lease, purchase, own, manage, hold and dispose of real
16 and personal property, and lease, convey or deal in or enter into
17 agreements with respect to such property on any terms necessary or
18 incidental to the carrying out of these purposes, provided all such
19 acquisitions of real property for the exchange's own use with amounts
20 appropriated by this state to the exchange or with the proceeds of
21 bonds supported by the full faith and credit of this state shall be
22 subject to the approval of the Secretary of the Office of Policy and
23 Management and the provisions of section 4b-23;

24 (6) Receive and accept, from any source, aid or contributions,
25 including money, property, labor and other things of value;

26 (7) Charge assessments or user fees to health carriers that are
27 capable of offering a qualified health plan through the exchange or
28 otherwise generate funding necessary to support the operations of the
29 exchange;

30 (8) Procure insurance against loss in connection with its property
31 and other assets in such amounts and from such insurers as it deems
32 desirable;

33 (9) Invest any funds not needed for immediate use or disbursement
34 in obligations issued or guaranteed by the United States of America or
35 the state and in obligations that are legal investments for savings banks
36 in the state;

37 (10) Issue bonds, bond anticipation notes and other obligations of
38 the exchange for any of its corporate purposes, and to fund or refund
39 the same and provide for the rights of the holders thereof, and to
40 secure the same by pledge of revenues, notes and mortgages of others;

41 (11) Borrow money for the purpose of obtaining working capital;

42 (12) Account for and audit funds of the exchange and any recipients
43 of funds from the exchange;

44 (13) Make and enter into any contract or agreement necessary or
45 incidental to the performance of its duties and execution of its powers.
46 The contracts entered into by the exchange shall not be subject to the
47 approval of any other state department, office or agency, provided
48 copies of all contracts of the exchange shall be maintained by the
49 exchange as public records, subject to the proprietary rights of any
50 party to the contract;

51 (14) To the extent permitted under its contract with other persons,
52 consent to any termination, modification, forgiveness or other change
53 of any term of any contractual right, payment, royalty, contract or
54 agreement of any kind to which the exchange is a party;

55 (15) Award grants to Navigators as described in subdivision (19) of
56 section 38a-1084 and in accordance with section 38a-1087. Applications
57 for grants from the exchange shall be made on a form prescribed by
58 the board;

59 [(16) Limit the number of plans offered, and use selective criteria in
60 determining which plans to offer, through the exchange, provided
61 individuals and employers have an adequate number and selection of
62 choices;]

63 [(17)] (16) Evaluate jointly with the SustiNet Health Care Cabinet
64 the feasibility of implementing a basic health program option as set
65 forth in Section 1331 of the Affordable Care Act;

66 [(18)] (17) Sue and be sued, plead and be impleaded;

67 [(19)] (18) Adopt regular procedures that are not in conflict with
68 other provisions of the general statutes, for exercising the power of the
69 exchange; and

70 [(20)] (19) Do all acts and things necessary and convenient to carry

71 out the purposes of the exchange, provided such acts or things shall
72 not conflict with the provisions of the Affordable Care Act, regulations
73 adopted thereunder or federal guidance issued pursuant to the
74 Affordable Care Act. "

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| This act shall take effect as follows and shall amend the following sections: | | |
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| Section 1 | <i>October 1, 2013</i> | 38a-1083(c) |
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