



General Assembly

Amendment

January Session, 2013

LCO No. 8623

SB0059608623HR0

Offered by:

REP. SAMPSON, 80th Dist.

REP. PERILLO, 113th Dist.

To: Senate Bill No. 596

File No. 3

Cal. No. 660

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 38a-1083 of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) For purposes of sections 38a-1080 to 38a-1090, inclusive,
6 "purposes of the exchange" means the purposes of the exchange
7 expressed in and pursuant to this section, which are hereby
8 determined to be public purposes for which public funds may be
9 expended. The powers enumerated in this section shall be interpreted
10 broadly to effectuate the purposes of the exchange and shall not be
11 construed as a limitation of powers.

12 (b) The goals of the exchange shall be to reduce the number of
13 individuals without health insurance in this state and assist

14 individuals and small employers in the procurement of health
15 insurance by, among other services, offering easily comparable and
16 understandable information about health insurance options.

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

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

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

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

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

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

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

37 (7) Charge assessments or user fees to health carriers that are
38 capable of offering a qualified health plan through the exchange or
39 otherwise generate funding necessary to support the operations of the
40 exchange;

41 (8) Procure insurance against loss in connection with its property
42 and other assets in such amounts and from such insurers as it deems

43 desirable;

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

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

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

53 (12) Account for and audit funds of the exchange and any recipients
54 of funds from the exchange;

55 (13) Make and enter into any contract or agreement necessary or
56 incidental to the performance of its duties and execution of its powers.
57 [The] Except as provided in subsection (a) of section 38a-1088, as
58 amended by this act, contracts or agreements entered into by the
59 exchange shall not be subject to the approval of any other state
60 department, office or agency, provided copies of all contracts of the
61 exchange shall be maintained by the exchange as public records,
62 subject to the proprietary rights of any party to the contract;

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

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

71 (16) Limit the number of plans offered, and use selective criteria in
72 determining which plans to offer, through the exchange, provided

73 individuals and employers have an adequate number and selection of
74 choices;

75 (17) Evaluate jointly with the Sustinet Health Care Cabinet the
76 feasibility of implementing a basic health program option as set forth
77 in Section 1331 of the Affordable Care Act;

78 (18) Sue and be sued, plead and be impleaded;

79 (19) Adopt regular procedures that are not in conflict with other
80 provisions of the general statutes, for exercising the power of the
81 exchange; and

82 (20) Do all acts and things necessary and convenient to carry out the
83 purposes of the exchange, provided such acts or things shall not
84 conflict with the provisions of the Affordable Care Act, regulations
85 adopted thereunder or federal guidance issued pursuant to the
86 Affordable Care Act.

87 Sec. 502. Section 38a-1088 of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective July 1, 2013*):

89 (a) The exchange shall, before entering into or making any contract
90 or agreement for consulting services for more than one hundred fifty
91 thousand dollars annually, hold a public hearing on such contract or
92 agreement before the joint standing committees of the General
93 Assembly having cognizance of matters relating to appropriations,
94 insurance, public health and human services. Said committees shall
95 vote to approve or reject such contract or agreement before such
96 contract or agreement may proceed.

97 [(a)] (b) The state of Connecticut does hereby pledge to, and agree
98 with, any person with whom the exchange may enter into contracts
99 pursuant to the provisions of sections 38a-1080 to 38a-1090, inclusive,
100 that the state will not limit or alter the rights hereby vested in the
101 exchange until such contracts and the obligations thereunder are fully
102 met and performed on the part of the exchange, except that nothing in

103 this subsection shall preclude such limitation or alteration if adequate
104 provision shall be made by law for the protection of such persons
105 entering into contracts with the exchange.

106 [(b)] (c) The exchange shall be exempt from all franchise, corporate
107 business and property taxes levied by the state or any municipality,
108 except that nothing in this subsection shall be construed to exempt
109 from any such taxes, or from any taxes levied in connection with, (1)
110 the manufacture or sale of any products that are the subject of any
111 agreement made by the exchange, or (2) any person entering into any
112 contract with the exchange."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2013</i>	38a-1083
Sec. 502	<i>July 1, 2013</i>	38a-1088