



General Assembly

**Amendment**

February Session, 2014

LCO No. 5662

**\*SB0047805662SR0\***

Offered by:  
SEN. KELLY, 21<sup>st</sup> Dist.

To: Subst. Senate Bill No. 478      File No. 364      Cal. No. 269

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING THE DUTIES OF THE HEALTH REINSURANCE ASSOCIATION AND REQUIREMENTS OF THE CONNECTICUT SMALL EMPLOYER REINSURANCE POOL, UPDATING THE PREEXISTING CONDITIONS STATUTE, AND CONCERNING CERTAIN GROUP HEALTH INSURANCE POLICIES."**

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

3      "Sec. 501. Section 38a-1083 of the 2014 supplement to the general  
4      statutes is amended by adding subsection (d) as follows (*Effective from*  
5      *passage*):

6      (NEW) (d) (1) The chief executive officer of the exchange shall  
7      provide to the commissioner the name of any health carrier that fails to  
8      pay any assessment or user fee under subdivision (7) of subsection (c)  
9      of this section to the exchange. The commissioner shall see that all laws  
10     respecting the authority of the exchange pursuant to said subdivision

11 (7) are faithfully executed. The commissioner has all the powers  
12 specifically granted under title 38a and all further powers that are  
13 reasonable and necessary to enable the commissioner to enforce the  
14 provisions of said subdivision (7).

15 (2) Any health carrier aggrieved by an administrative action taken  
16 by the commissioner under subdivision (1) of this subsection may  
17 appeal therefrom in accordance with the provisions of section 4-183,  
18 except venue for such appeal shall be in the judicial district of New  
19 Britain.

20 Sec. 502. Subsection (c) of section 38a-1090 of the 2014 supplement to  
21 the general statutes is repealed and the following is substituted in lieu  
22 thereof (*Effective from passage*):

23 (c) Unless expressly specified, nothing in this section, [or] sections  
24 38a-1080 to 38a-1089, inclusive, or section 38a-1091 and no action taken  
25 by the exchange pursuant to said sections shall be construed to  
26 preempt, supersede or affect the authority of the commissioner to  
27 regulate the business of insurance in the state. All health carriers  
28 offering qualified health plans in the state shall comply with all  
29 applicable [health insurance laws of the state and regulations adopted  
30 and orders issued by the commissioner] provisions of sections 38a-  
31 1083 to 38a-1091, inclusive, as amended by this act, and procedures  
32 adopted by the board pursuant to section 38a-1082."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	38a-1083
Sec. 502	<i>from passage</i>	38a-1090(c)