



General Assembly

January Session, 2015

**Committee Bill No. 754**

LCO No. 3314



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Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

**AN ACT LIMITING THE CHARGING OF ASSESSMENTS OR USER FEES BY THE CONNECTICUT HEALTH INSURANCE EXCHANGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 38a-1083 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2015*):

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

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

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

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

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

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

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

24 (7) Charge assessments or user fees to health carriers that [are  
25 capable of offering] offer a qualified health plan through the exchange  
26 or otherwise generate from such health carriers funding necessary to  
27 support the operations of the exchange and impose interest and  
28 penalties on such health carriers for delinquent payments of such  
29 assessments or fees;

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 trained and certified individuals and  
56 institutions that will assist individuals, families and small employers  
57 and their employees in enrolling in appropriate coverage through the  
58 exchange. Applications for grants from the exchange shall be made on  
59 a form prescribed by the board;

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

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

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

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

71 (20) Do all acts and things necessary and convenient to carry out the

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	38a-1083(c)

**Statement of Purpose:**

To limit the charging of assessments or user fees by the Connecticut Health Insurance Exchange to health carriers that offer qualified health plans through the exchange.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. KELLY, 21st Dist.

S.B. 754