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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

SENATE RESOLUTION

RESPECTUFLY REQUESTING THE SENATE A SPECIAL COMMISSION TO ASSESS
AND MAKE RECOMMENDATIONS ON HEALTH INSURANCE ISSUES RELATING TO
CONSUMER PROTECTION AND CHOICE, COVERAGE AFFORDABILITY AND
QUALITY, AND MARKET STABILITY

Introduced By: Senator Joshua Miller

Date Introduced: June 30, 2017

Referred To: Recommended for Immediate Consideration

- 1 WHEREAS, The Affordable Care Act seeks to insure Americans, cut high health care
2 costs, reduce spending, and shift treatment towards prevention; and
- 3 WHEREAS, Rhode Island must seek to ensure the protections provided by the
4 Affordable Care Act continue to apply even if changes occur at the Federal level such as:
- 5 o coverage for the 10 Essential Health Benefits (EHBs), including preventive
6 services, prescription coverage, maternity, hospitalization, and mental health
7 treatment
 - 8 o coverage of preventive services with no cost sharing
 - 9 o Allowing dependents up to age 26 to stay on parent's plan.
 - 10 o No pre-existing condition exclusions are allowed.
 - 11 o Prohibiting annual limits/lifetime dollar caps on coverage for essential benefits.
 - 12 o Giving people clearer explanations of their benefits.
 - 13 o Insurers keeping their administrative costs in check ("medical loss ratio").
 - 14 o No insurer discrimination against providers operating under state law
 - 15 o Guaranteed Issue and Renewal so cannot be denied a policy, even if sick.
 - 16 o Allows discounts for wellness programs.
 - 17 o Can only vary insurance premium rates based on age (not gender/ health)
 - 18 o Allows the state to apply for a waiver that would let sole proprietors purchase

1 insurance in the small group market instead of the individual market if it is determined that it
2 would result in lower rates in both markets while increasing choice.

3 WHEREAS, The undetermined future of the Affordable Care Act threatens Rhode
4 Islanders from the loss of coverage and loss of essential benefits and therefore risking the
5 wellbeing of Rhode Island's residents; and

6 WHEREAS, Rhode Island has been proactive in the past to combat premium increases
7 and, once again, Rhode Island must be proactive in promoting a level playing field for insurers
8 and consumers; and

9 WHEREAS, Insurers in Rhode Island must continue to offer access to quality insurance
10 with benefits and coverage under parameters set forth by the Affordable Care Act, no matter the
11 changes set forth at the Federal level; and

12 WHEREAS, There is a need for a legislative commission to assess and determine
13 measures, at the state level, that would protect Rhode Islanders and provide predictability to
14 insurers despite the undetermined future of the federal law; and now therefore, be it

15 RESOLVED, That a special legislative commission be and the same is hereby created
16 consisting of twelve (12) members;

17 (a) two (2) of whom shall be members of the Senate;

18 (b) two (2) shall be representatives of a hospital;

19 (c) one (1) shall be the Executive Director of the Rhode Island Medical Society or
20 designee;

21 (d) one (1) shall be a representative of an insurance company;

22 (e) one (1) shall be the Health Insurance Commissioner; or designee;

23 (f) one (1) shall be a mental health professional;

24 (g) one (1) shall be the Executive Director of HealthSource RI, or designee;

25 (h) one (1) shall be the Secretary of Executive office of health and human services;

26 (i) two (2) shall be consumer advocates;

27 RESOLVED, The purpose of the said commission shall be to examine and make
28 recommendations on the health insurance issues prevalent in Rhode Island relating to consumer
29 protection and choice, coverage affordability and quality, and market stability considering
30 elements such as

31 (1) minimum standard coverage requirements for individuals and enforcement
32 provisions;

33 (2) essential health care benefits;

34 (3) rating rules;

- 1 (4) Medicaid eligibility/expansion;
- 2 (5) The offering of public health insurance options;
- 3 (6) Financial requirements and financing options including federal funding and/or
- 4 waivers to stabilize individual market premiums, including:
- 5 a. Making recommendations on the best use of federal dollars, including funds earmarked
- 6 for high-risk pools;
- 7 b. Making recommendations on a maximum ceiling for out-of-pocket expenses and using
- 8 available state and federal dollars to subsidize amounts exceeding the ceiling;
- 9 c. Setting levels of premium subsidy assistance using available federal and state funds;
- 10 d. Assessing options under the federal 1332 state innovation waiver and making
- 11 recommendations on any waiver applications, including the possibility of a waiver for regional
- 12 purchasing, efficiencies, and innovation; and
- 13 (7) Assessing the impact of health insurance carriers offering plans as permitted by
- 14 federal law that do not meet the requirements of state law;
- 15 (8) The commission may hold informational briefings and listening sessions to gather
- 16 input from the public on issues related to the potential repeal of the Affordable Care Act.
- 17 RESOLVED, That the commission shall report its findings and recommendations to the
- 18 President of the Senate and the Chairperson on Health and Human Services on or before
- 19 March 1, 2018, and said commission shall expire on July 1, 2018.

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