

2022 -- S 2896 AS AMENDED

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LC005722
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HEALTH
BENEFIT EXCHANGE

Introduced By: Senators Miller, Goodwin, Kallman, DiPalma, Valverde, Lawson, and
DiMario

Date Introduced: April 26, 2022

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-157 of the General Laws, entitled “Rhode Island Health Benefit
2 Exchange”, is hereby amended by adding thereto the following section:

3 **42-157-15. COVID-19 premium payment program.**

4 (a) Establishment of premium payment program. The exchange may utilize funds
5 appropriated by the general assembly to the exchange to pay up to sixty (60) days of health
6 insurance premiums for an individual who meets the eligibility requirements under subsection (b)
7 of this section and enrolls in a qualified health plan through the exchange during the individual’s
8 sixty (60) day special enrollment period specified in subsection (b)(2) of this section.

9 (b) Eligibility. An individual is eligible for the premium payment program under subsection
10 (a) of this section if the exchange determines the individual:

11 (1) Was disenrolled from Medicaid upon the end of the COVID-19 public health
12 emergency or the end of the continuous coverage requirement established under Section 6008(b)(3)
13 of the Families First Coronavirus Response Act (FFCRA), whichever occurs first;

14 (2) Is eligible for a special enrollment period under 45 C.F.R. § 155.420(d)(1) as a result
15 of being disenrolled from Medicaid; and

16 (3) Is eligible for advance payments of the premium tax credit under 45 C.F.R. §
17 155.305(f).

18 (c) Premium payments applied after advance payments of the premium tax credit. The

1 exchange shall limit premium payment under subsection (a) of this section to the portion of the
2 premium owed after advance payments of the premium tax credit have been applied. If an
3 individual elects to accept less than the full amount of advance payments of the premium tax credit
4 for which the individual is determined eligible under 45 C.F.R. § 155.310(d)(2), the exchange will
5 not utilize funds under subsection (a) of this section to pay that portion of the premium.

6 (d) Duration of program. The premium payment program established by subsection (a) of
7 this section shall be available to eligible individuals for up to twelve (12) months after the month
8 in which the COVID-19 public health emergency ends, consistent with the state health official letter
9 issued by the Centers for Medicaid and Medicare Services on August 13, 2021. If the Centers for
10 Medicaid and Medicare Services extends the timeframe beyond twelve (12) months, the exchange
11 may make this premium payment program available to eligible individuals during the extended
12 period.

13 (e) Availability of funds. Notwithstanding subsections (a), (b), (c), or (d) of this section,
14 the exchange may uniformly restrict, terminate, or otherwise reduce eligibility for the premium
15 payment program under subsection (a) of this section at any time in the case of limited funding
16 availability.

17 (f) Appeals. Any person aggrieved by the exchange's determination of eligibility for
18 premium payment under this section has the right to an appeal in accordance with the procedures
19 contained within chapter 35 of title 42.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HEALTH
BENEFIT EXCHANGE

1 This act would establish a premium payment program to help individuals and families
2 transition from expired COVID-19 Medicaid coverage to commercial health insurance, thereby
3 avoiding a gap in medical coverage.

4 This act would take effect upon passage.

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