1	L.D. 812
2	Date: (Filing No. H-)
3	INSURANCE AND FINANCIAL SERVICES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT "" to H.P. 563, L.D. 812, Bill, "An Act To Create an Open Enrollment Period Consistent with Federal Regulations for Health Insurance Exchanges"
12 13	Amend the bill by striking out everything after the title and before the summary and inserting the following:
14 15	' Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
16 17 18	Whereas, individuals seeking to enroll in a health insurance exchange in this State may do so only during open enrollment periods and certain special enrollment periods as permitted by the federal Patient Protection and Affordable Care Act; and
19 20	Whereas, current law requires health insurance carriers to enroll individuals at any time in individual health plans not offered through the health insurance exchange; and
21 22 23	Whereas, this legislation would make enrollment periods under state law consistent with federal law related to individual health plans offered without regard to whether the health plans are purchased on the health insurance exchange; and
24 25 26	Whereas, if the law is not changed to be consistent with federal law, those health insurance carriers not offering coverage through the health insurance exchange are likely to experience adverse selection; and
27 28	Whereas, this legislation must be enacted before October 1, 2013, which is the date open enrollment for health insurance exchanges begins; and
29 30 31 32	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
33	Be it enacted by the People of the State of Maine as follows:

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COMMITTEE AMENDMENT

Sec. 1. 24-A MRSA §2736-C, sub-§11 is enacted to read:

<u>11. Open enrollment.</u> Notwithstanding subsection 3, on or after January 1, 2014, a
carrier may restrict enrollment in individual health plans to open enrollment periods and
special enrollment periods consistent with requirements of the federal Affordable Care
<u>Act.</u>

6 **Emergency clause.** In view of the emergency cited in the preamble, this 7 legislation takes effect when approved.'

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SUMMARY

9 This amendment replaces the bill. The amendment permits carriers to restrict 10 enrollment in individual health insurance plans to open enrollment periods and special 11 enrollment periods consistent with requirements of the federal Patient Protection and 12 Affordable Care Act. The amendment also adds an emergency preamble and emergency 13 clause to the bill.

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COMMITTEE AMENDMENT