SENATE BILL No. 370

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DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-154.9; IC 12-15-46-3.

Synopsis: Payment of insurance premiums under Medicaid. Requires the office of the secretary of family and social services to apply for a Medicaid state plan amendment or a demonstration waiver to allow the office of the secretary to purchase for certain individuals coverage by a qualified health plan through the health benefit exchange operated in Indiana.

Effective: Upon passage.

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January 14, 2014, read first time and referred to Committee on Appropriations.

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~
 Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.
 Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 370

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 12-7-2-154.9 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 154.9. "Qualified health**
4 **plan", for purposes of IC 12-15-46-3, has the meaning set forth in**
5 **IC 12-15-46-3(a).**
6   SECTION 2. IC 12-15-46-3 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: **Sec. 3. (a) As used in this section, "qualified**
9 **health plan" means a health plan that has been certified under**
10 **Section 1301 of the federal Patient Protection and Affordable Care**
11 **Act (PPACA) (42 U.S.C. 18021(a)) to meet the criteria for**
12 **availability through a health benefit exchange operated in Indiana.**
13   **(b) Before July 1, 2014, the office of the secretary of family and**
14 **social services shall apply to the United States Department of**
15 **Health and Human Services for a demonstration waiver or an**
16 **amendment to the state Medicaid plan to allow the office of the**

1   **secretary to, through the Medicaid program, pay premiums to**
2   **purchase for individuals coverage by a qualified health plan**
3   **through a health benefit exchange operated in Indiana. The state**
4   **plan amendment or demonstration waiver must seek to purchase**
5   **coverage for an individual whose income is not more than one**
6   **hundred thirty-eight percent (138%) of the federal poverty level**
7   **and who:**
8   **(1) is at least nineteen (19) years of age but less than sixty-five**
9   **(65) years of age; and**
10   **(2) is not:**
11   **(A) eligible for Medicaid in Indiana; and**
12   **(B) eligible to participate in Medicare.**
13   **The office of the secretary may require cost sharing by the**
14   **individual in obtaining and maintaining coverage under the**
15   **qualified health plan.**
16   **(c) The office of the secretary may not implement a state plan**
17   **amendment or waiver under this section until the office of the**
18   **secretary files an affidavit with the governor attesting that the state**
19   **plan amendment or federal waiver applied for under this section**
20   **is in effect. The office of the secretary shall file the affidavit under**
21   **this subsection not later than five (5) days after the office of the**
22   **secretary is notified that the state plan amendment or waiver is**
23   **approved.**
24   **(d) If the office of the secretary receives approval for the state**
25   **plan amendment or waiver under this section from the United**
26   **States Department of Health and Human Services and the**
27   **governor receives the affidavit filed under subsection (c), the office**
28   **shall implement the state plan amendment or waiver not more than**
29   **sixty (60) days after the governor receives the affidavit.**
30   SECTION 3. **An emergency is declared for this act.**