

SENATE BILL 254

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 56 and Title 71, relative to medical
assistance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) On or before December 1, 2019, the commissioner of finance and administration shall apply to the secretary of the United States department of health and human services for any necessary waiver pursuant to 42 U.S.C. § 1315 or § 18052, as applicable, to:

(1) Allow the commissioner to enter into a contract with one (1) or more insurers or managed care organizations to provide coverage to persons who enroll in the VolunteerCare plan established pursuant to subsection (b) and which may be made available for purchase through the federally facilitated health insurance exchange established pursuant to the federal Patient Protection and Affordable Care Act, Public Law 111-148; and

(2) Allow a person who is fifty-five (55) years of age or older, but not yet eligible for coverage through the medicare program to purchase coverage through the VolunteerCare plan by paying premiums and copayments.

(b)

(1) To the extent allowed by federal law and if approved by the secretary, the commissioner shall establish the VolunteerCare plan within the TennCare program established pursuant to this part and make coverage available for

purchase through the plan to any person who is not otherwise eligible for medical assistance pursuant to this part.

(2) The coverage provided to a person who enrolls in the VolunteerCare plan must be the same as the coverage provided to recipients of medical assistance pursuant to this part.

(3) If the secretary of the United States department of health and human services grants any necessary waiver described in subsection (a), then the commissioner may:

(A) Enter into a contract with one (1) or more managed care organizations to provide the coverage described in this section to persons who enroll in the VolunteerCare plan; and

(B) Make the VolunteerCare plan available for purchase through the federally facilitated health insurance exchange.

(4) The commissioner is authorized, in consultation with the commissioner of commerce and insurance, to promulgate rules as necessary to carry out this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) The VolunteerCare plan does not take effect until at least ninety (90) days after any necessary waiver applied for pursuant to subsection (a) has been approved by the secretary.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.