

SENATE BILL 2864

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 71,
Chapter 5, relative to health care cost disclosure.

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:

Section 71-5-152.

(a) This section shall be known and may be cited as the "Public Assistance Beneficiary Employer Disclosure Act".

(b) The department of finance and administration is hereby directed to prepare a TennCare beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the "Tennessee Health Care Responsibility Report." For purposes of this section, a "TennCare beneficiary" means a person who receives medical assistance from the state of Tennessee under this chapter or Titles XIX or XXI of the federal Social Security Act, as amended. To aid in the preparation of the Tennessee health care responsibility report, the department shall implement policies and procedures to acquire information required by the report. Such information sources may include, but are not limited to, the following:

(1) Information required at the time of TennCare application or during the yearly reverification process;

(2) Information that is accumulated from a vendor contracting with the state of Tennessee to identify available insurance;

(3) Information that is voluntarily submitted by Tennessee employers.

(c) The Tennessee health care responsibility report shall provide the following information for each employer who has fifty (50) or more employees that are a TennCare beneficiary, the spouse of a TennCare beneficiary, or a custodial parent of a TennCare beneficiary:

(1) The name of the qualified employer;

(2) The number of employees who are either TennCare beneficiaries or are a financially responsible spouse or custodial parent of a TennCare beneficiary under Title XIX of the federal Social Security Act, listed as a percentage of the qualified employer's Tennessee workforce;

(3) The number of employees who are either TennCare beneficiaries or are a financially responsible spouse or custodial parent of a TennCare beneficiary under Title XXI of the federal Social Security Act (SCHIP), listed as a percentage of the qualified employer's Tennessee workforce;

(4) For each employer, the number of employees who are TennCare beneficiaries, the number of employees who are a financially responsible spouse or custodial parent of a TennCare beneficiary and the number of TennCare beneficiaries who are a spouse or a minor child less than nineteen (19) years of age of an employee under Title XIX of the federal Social Security Act;

(5) For each employer, the number of employees who are TennCare beneficiaries, the number of employees who are a financially responsible spouse or a custodial parent of a TennCare beneficiary, and

the number of TennCare beneficiaries who are a spouse or a minor child less than nineteen (19) years of age of an employee under Title XXI of the federal Social Security Act;

(6) Whether the reported TennCare beneficiaries are full-time or part-time employees;

(7) Information on whether the employer offers health insurance benefits to full-time and part-time employees, their spouses, and their dependents;

(8) Information on whether employees receive health insurance benefits through the employer when TennCare pays some or all of the premiums for such health insurance benefits;

(9) The cost to the state of Tennessee of providing TennCare benefits for the employer's employees and enrolled dependents listed as total cost and per capita cost;

(10) The report shall make industry-wide comparisons by sorting employers into industry categories based on available information from the department of economic development.

(d) If it is determined that a TennCare beneficiary has more than one (1) employer, the department of social services shall count the beneficiary as a portion of one (1) person for each employer for purposes of this report.

(e) The Tennessee health care responsibility report shall be issued one hundred twenty (120) days after the end of each calendar quarter, starting with the first calendar quarter of 2011. The report shall be made available for public viewing on the bureau of TennCare website. Any member of the public shall have

the right to request and receive a printed copy of the report published under this section through the department of social services.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.