

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 2075

"AN ACT CONCERNING INSURANCE MATTERS."

Amendment No. 2 to House Bill No. 2075.

Amend House Bill No. 2075 as engrossed, H3/24/09 (version: 03-24-2009 10:17):

Delete the title of the bill and substitute the following:

"AN ACT TO ADDRESS INSURANCE MATTERS AFFECTING THE STATE OF ARKANSAS; TO AMEND ARKANSAS CODE § 23-89-216, AS ENACTED BY ACT 485 OF 2009; TO ADDRESS ELIGIBILITY REQUIREMENTS AND ENFORCEMENT OF THE COMPREHENSIVE HEALTH INSURANCE POOL PROGRAM; AND FOR OTHER PURPOSES."

AND

Delete the subtitle of the bill and substitute the following:

"TO AMEND ARKANSAS CODE § 23-89-216, AS ENACTED BY ACT 485 OF 2009, AND TO ADDRESS ELIGIBILITY REQUIREMENTS AND ENFORCEMENT OF THE COMPREHENSIVE HEALTH INSURANCE POOL PROGRAM."

AND

Page 1, delete line 32 and substitute the following:

"prepared in connection with the claim.

SECTION 2. Arkansas Code § 23-79-509(a)(2)(G), concerning persons not eligible for coverage under a plan offered by the Arkansas Comprehensive Health Insurance Pool, is amended to read as follows:

(G) ~~The~~ All or part of the person's premium is paid for or reimbursed:

(i) By one (1) of the following:

(a) The person's current employer;

(b) If the person is retired, by the person's

former employer; or

(c) If the person is a dependent of an

employee or retiree, by the current or former employer of the employee or retiree; or

(ii) ~~under~~ Under any government-sponsored program or by any government agency, foundation, health care facility, or health care provider except for premiums paid on behalf of:



~~(i)~~(a) A trade adjustment assistance eligible person or a qualified trade adjustment assistance eligible person in accordance with section 35 of the Internal Revenue Code; or

~~(ii)~~(b) An otherwise qualifying full-time employee or dependent of ~~such an~~ a qualifying full-time employee of a government agency, foundation, health care facility, or health care provider;

SECTION 3. Arkansas Code § 23-79-513 is amended to read as follows:

23-79-513. Unfair referral to plan – Prohibited practices by employers.

(a) It shall constitute an unfair trade practice ~~for the purposes of~~ under the Trade Practices Act, § 23-66-201 et seq., for an insurer, agent, broker, or third-party administrator to refer an individual to the Arkansas Comprehensive Health Insurance Pool, or arrange for an individual to apply to the pool, for the purpose of:

(1) ~~separating that~~ Separating the individual from group health insurance coverage provided ~~in connection with any~~ by a group health ~~insurance coverage plan; or~~

(2) Facilitating enrollment in the pool by any of the following individuals associated with an employer, with the knowledge that the employer intends to pay or is paying all or part of the premium payments owed by the individual for pool coverage:

(A) An employee of the employer;

(B) A retired employee of the employer; or

(C) A dependent of an employee or retired employee of the employer.

(b) Because pool coverage is not intended to cover participants who are eligible for a group health plan, an individual described in subdivision (a)(2) of this section is not eligible:

(1) For pool coverage if the employer associated with the applicant intends to pay for all or part of the pool premium payments for the individual; or

(2) To continue pool coverage if the employer associated with the individual directly or indirectly pays all or part of the pool premium payments for the individual."

The Amendment was read _____

By: Representative Hawkins
DLP/DLP - 03-27-2009 08:42
DLP365

Chief Clerk