

HOUSE CONCURRENT RESOLUTION

REQUESTING THE SECRETARY OF THE UNITED STATES DEPARTMENT OF LABOR TO FULLY ENFORCE THE PROVISIONS OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, THEREBY PROTECTING THE CITIZENS OF THIS STATE FROM ABUSES OF EMPLOYERS IN THE ADMINISTRATION OF SELF-FUNDED HEALTH CARE PLANS; AND REQUESTING THE ARKANSAS CONGRESSIONAL DELEGATION TO PROPOSE LEGISLATION GRANTING THE STATES MORE AUTHORITY IN THE REGULATION OF SELF-FUNDED HEALTH CARE PLANS.

WHEREAS, numerous citizens of this State have been harmed by the collapse of several self-funded health care plans in recent years; and

WHEREAS, the Federal Law exempting these plans from any and all State Laws places the regulatory authority of these plans with the United States Department of Labor; and

WHEREAS, the reports and statements filed with the Secretary of the United States Department of Labor are not being full reviewed to assure the financial solvency of these plans; and

WHEREAS, the State Department of Insurance is prohibited from regulating these plans and protecting the citizens of this State by requiring minimum level of reserves and minimum level of benefits;

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE REGULAR SESSION OF THE SEVENTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

That the Secretary of the United States Department of Labor is requested to take any and all steps necessary to protect the citizens of this State and our sister states from the financial insolvencies and the self-funded health care plans under his jurisdiction.

BE IT FURTHER RESOLVED that the Arkansas Congressional Delegation be requested to study this situation and propose the necessary Federal legislation or amendments to existing Federal legislation that would grant the states more authority in the regulation of self-funded health care plans.