EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.
BY adding to
Article – Insurance
Section 31–121
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Insurance

31–102.

(a) There is a Maryland Health Benefit Exchange.

(c) The purposes of the Exchange are to:

(3) assist qualified employers in the State in facilitating the enrollment of
their employees in qualified health plans in the small group market in the State and in
accessing small business tax credits;

31–107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the
Exchange in carrying out the purposes of the Exchange under this title; and

(e) The Fund consists of:

(1) any user fees or other assessments collected by the Exchange;

(2) all revenue deposited into the Fund that is received from the
distribution of the premium tax under § 6–103.2 of this article;

(3) income from investments made on behalf of the Fund;

(4) interest on deposits or investments of money in the Fund;

(5) money collected by the Board as a result of legal or other actions taken
by the Board on behalf of the Exchange or the Fund;

(6) money donated to the Fund;
(7) money awarded to the Fund through grants;

(8) any pass-through funds received from the federal government under a waiver approved under § 1332 of the Affordable Care Act;

(9) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State;

(10) any funds designated by the State to provide reinsurance to carriers that offer individual health benefit plans in the State; [and]

(11) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State; [and]

(12) any other money from any other source accepted for the benefit of the Fund.

(f) The Fund may be used only:

(1) for the operation and administration of the Exchange in carrying out the purposes authorized under this title; and

31–121.

(A) As soon as practicable but not later than January 1, 2020, the Exchange, in consultation with the Commissioner and as approved by the Board, may submit a State Innovation Waiver application under § 1332 of the Affordable Care Act to allow the State to administer State-based tax credit assistance for the federal Small Business Health Care Tax Credit to small businesses for monthly premium payments.

(B) Before applying for a State Innovation Waiver under subsection (A) of this section, the Exchange shall determine whether the State needs to apply for a State Innovation Waiver in order to distribute the federal Small Business Health Care Tax Credit on a monthly basis to eligible employers enrolling in the SHOP Exchange.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.