

SENATE BILL 571

C3, J1

7lr1927
CF HB 909

By: **Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Oaks**

Introduced and read first time: February 2, 2017

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 17, 2017

CHAPTER _____

1 AN ACT concerning

2 **Maryland Health Insurance Coverage Protection Act**

3 FOR the purpose of establishing the Maryland Health Insurance Coverage Protection
4 Commission; providing for the composition, ~~chair~~ cochairs, and staffing of the
5 Commission; prohibiting a member of the Commission from receiving certain
6 compensation, but authorizing the reimbursement of certain expenses; requiring the
7 Commission to ~~study~~ monitor and assess the impact of certain changes to certain
8 laws and programs and make recommendations regarding certain matters; requiring
9 the duties of the Commission to include a certain study; authorizing the Commission
10 to hold public meetings across the State for a certain purpose; authorizing the
11 Commission to convene certain workgroups; requiring the Commission to report its
12 findings and recommendations to the Governor and the General Assembly on or
13 before a certain date each year; providing for the termination of this Act; defining a
14 certain term; and generally relating to the Maryland Health Insurance Coverage
15 Protection Commission.

16 Preamble

17 WHEREAS, The Congressional Budget Office estimates that a repeal of the Patient
18 Protection and Affordable Care Act (ACA) may result in 22 million individuals becoming
19 uninsured in the United States; and

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.



1 WHEREAS, With a health insurance market collapse potentially resulting from a
2 repeal of the ACA, an additional 7.3 million individuals could lose insurance coverage,
3 leading to a total of nearly 30 million individuals losing health care coverage nationwide;
4 and

5 WHEREAS, In Maryland, more than 350,000 people may become uninsured in the
6 aftermath of a repeal of the ACA; and

7 WHEREAS, A repeal or weakening of the ACA, Medicaid, or Medicare could more
8 than double the number of individuals without health insurance by 2019; and

9 WHEREAS, One in five of the nonelderly population in the State could become
10 uninsured, which would be more individuals uninsured than before the implementation of
11 the ACA in 2009; and

12 WHEREAS, About 12.9 million individuals in the United States could lose Medicaid
13 or Children's Health Insurance Program coverage as a result of a repeal or weakening of
14 the ACA or Medicaid, including more than 200,000 individuals in our State; and

15 WHEREAS, A repeal or weakening of the ACA, Medicaid, or Medicare ~~would~~ could
16 disproportionately affect working and retired individuals and families; and

17 WHEREAS, Millions of American seniors, including ~~hundreds of~~ thousands of
18 Maryland seniors, could see their prescription drug costs rise substantially as a result of a
19 repeal or weakening of the ACA or Medicare; and

20 WHEREAS, It is prudent for Maryland to study and develop a plan to mitigate these
21 negative effects of a repeal or weakening of the ACA, Medicaid, or Medicare, address
22 economic impacts, help save lives, and protect public health by recommending and
23 implementing solutions to this broad-scale loss of health coverage; and

24 WHEREAS, The United States Congress should not diminish any of the benefits of
25 the ACA, Medicaid, or Medicare; now, therefore,

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That:

28 (a) In this section, "ACA" means the federal Patient Protection and Affordable
29 Care Act.

30 (b) There is a Maryland Health Insurance Coverage Protection Commission.

31 (c) The Commission consists of the following members:

32 (1) ~~two~~ three members of the Senate of Maryland, appointed by the
33 President of the Senate;

1 (2) ~~two~~ three members of the House of Delegates, appointed by the Speaker
2 of the House;

3 (3) the Secretary of Health and Mental Hygiene, or the Secretary's
4 designee;

5 (4) the Maryland Insurance Commissioner, or the Commissioner's
6 designee; and

7 (5) the Attorney General, or the Attorney General's designee; and

8 ~~(5) (6) five~~ the following members ~~of the public, appointed jointly by the~~
9 ~~President of the Senate and the Speaker of the House;~~

10 (i) one representative of a hospital, appointed jointly by the
11 President of the Senate and the Speaker of the House;

12 (ii) one representative of a managed care organization, appointed
13 jointly by the President of the Senate and the Speaker of the House;

14 (iii) one consumer of health care services, appointed jointly by the
15 President of the Senate and the Speaker of the House;

16 (iv) one representative of a health insurance carrier, appointed by
17 the Governor;

18 (v) one representative who is an employer, appointed by the
19 Governor;

20 (vi) one representative of the nursing home industry, appointed by
21 the Governor; and

22 (vii) two members of the public:

23 1. one of whom shall be appointed jointly by the President of
24 the Senate and the Speaker of the House; and

25 2. one of whom shall be appointed by the Governor.

26 (d) ~~The chair of the Commission shall be designated jointly by the~~ President of
27 the Senate and the Speaker of the House of Delegates shall designate a member who is a
28 Senator and a member who is a Delegate, respectively, to serve as cochairs of the
29 Commission.

1 (e) The Department of Legislative Services, the Department of Health and
2 Mental Hygiene, and the Maryland Insurance Administration jointly shall provide staff for
3 the Commission.

4 (f) A member of the Commission:

5 (1) may not receive compensation as a member of the Commission; but

6 (2) is entitled to reimbursement for expenses under the Standard State
7 Travel Regulations, as provided in the State budget.

8 (g) (1) The Commission shall:

9 (i) monitor potential and actual federal changes to the ACA,
10 Medicaid, the Maryland Children's Health Program, and Medicare;

11 ~~(ii) conduct a study to~~ assess the impact of potential and actual
12 federal changes to the ACA, Medicaid, the Maryland Children's Health Program, and
13 Medicare; and

14 ~~(iii) provide recommendations for State and local action to protect~~
15 access of residents of the State to affordable health coverage.

16 (2) ~~The study conducted~~ duties of the Commission under paragraph (1) of
17 this subsection shall include a study that includes:

18 (i) an assessment of the current and potential adverse effects of the
19 loss of health coverage on the residents, public health, and economy of the State resulting
20 from ~~a repeal or weakening of~~ changes to the ACA, Medicaid, the Maryland Children's
21 Health Program, or Medicare;

22 (ii) an estimate of the costs to the State and State residents of
23 adverse effects from ~~a repeal or weakening of~~ changes to the ACA, Medicaid, the Maryland
24 Children's Health Program, or Medicare and the resulting loss of health coverage;

25 (iii) an examination of measures that may prevent or mitigate the
26 adverse effects of ~~a repeal or weakening of~~ changes to the ACA, Medicaid, the Maryland
27 Children's Health Program, or Medicare and the resulting loss of health coverage on the
28 residents, public health, and economy of the State; and

29 (iv) recommendations for laws that:

30 1. may be warranted to minimize the adverse effects
31 associated with ~~a repeal or weakening of~~ changes to the ACA, Medicaid, the Maryland
32 Children's Health Program, or Medicare; and

1 2. will assist residents in obtaining and maintaining
 2 affordable health coverage.

3 (h) The Commission may:

4 (1) hold public meetings across the State to ~~conduct the study~~ carry out the
 5 duties of the Commission; and

6 (2) convene workgroups to solicit input from stakeholders.

7 (i) On or before December 31, ~~2017~~ each year, the Commission shall submit a
 8 report on its findings and recommendations, including any legislative proposals, to the
 9 Governor and, in accordance with § 2-1246 of the State Government Article, the General
 10 Assembly.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
 12 1, 2017. It shall remain effective for a period of ~~1-year~~ 3 years and 1 month and, at the end
 13 of June 30, ~~2018~~ 2020, with no further action required by the General Assembly, this Act
 14 shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.