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Correspondence Memorandum

Date: November 10, 2023
To: Group Insurance Board
From: Tarna Hunter, Director
 Office of Budget and Management
Subject: Legislative Update

This memo is for informational purposes only. No Board action is required.

[2023 SB 63](#) and [2023 AB 62](#) allow insured individuals to choose whether they would like their insurer to pay their dental care provider directly or pay the bill themselves and be reimbursed by the insurer.

2023 SB 63 was introduced by Sen. Stroebel and referred to the Senate Committee on Insurance and Small Business. 2023 AB 62 was introduced by Rep. Brooks and referred to the Assembly Committee on Insurance.

On November 8, 2023, the Assembly Committee on Insurance recommended passage (11-0). The Assembly is scheduled to take action on 2023 AB 62 on November 14, 2023.

[2023 SB 100](#) and [2023 AB 103](#) require health insurance policies that offer prescription drug benefits to apply amounts paid by or on behalf of an individual covered under the policy or plan for brand name prescription drugs to any cost-sharing requirement or to any calculation of an out-of-pocket maximum amount of the policy or plan.

2023 SB 100 was introduced by Sen. Jacque and referred to the Senate Committee on Insurance and Small Business. 2023 AB 103 was introduced by Rep. Tittl and referred to the Assembly Committee on Health, Aging and Long-Term Care.

ETF met with the sponsoring legislative offices of 2023 SB 100 and 2023 AB 103 and will work with the offices to modify language to exempt the GHIP from the bill if the GIB approves implementing the Access Guidance Service Program.

[2023 SB 121](#) and [2023 AB 117](#) require health insurance policies to provide coverage for supplemental breast screening examinations or diagnostic breast examinations for

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Reviewed and approved by Pam Henning, Assistant Deputy Secretary
 Electronically Signed 11/10/2023

Board	Mtg Date	Item #
GIB	11.15.23	15E

an individual who is at increased risk of breast cancer. Additionally, health insurance policies may not charge a cost-sharing amount for a supplemental breast screening examination or diagnostic breast examination.

2023 SB 121 was introduced by Sen. Cabral-Guevara and referred to the Senate Committee on Health. 2023 AB 117 was introduced by Rep. Gustafson and referred to the Assembly Committee on Health, Aging and Long-Term Care.

On July 12, 2023, the Senate Committee on Health held a public hearing on 2023 SB 121.

[2023 SB 152](#) and [2023 AB 159](#) include the following requirements and limitations on health insurance coverage in the event the federal Patient Protection and Affordable Care Act no longer preempts state law on the topic:

- Health plans must accept every individual in this state who applies for coverage, regardless of whether any individual or employee has a preexisting condition.
- A health plan offered on the individual or small employer market or a self-insured governmental health plan may not vary premium rates for a specific plan on any basis except age, tobacco use, area in the state, and whether the plan covers an individual or a family.
- A health benefit plan or a self-insured governmental health plan may not impose a preexisting condition exclusion.
- A health benefit plan or a self-insured governmental health plan is prohibited from imposing an annual or lifetime limit on the dollar value of benefits under the plan.
- The Affordable Care Act exempts certain plans from complying with the act's provisions. Similarly, any health benefit plan that is exempt from a provision of the Affordable Care Act is exempt from complying with the corresponding provision of this bill.

2023 SB 152 was introduced by Sen. Jacque and referred to the Senate Committee on Insurance and Small Business. 2023 AB 159 was introduced by Rep. Magnafici and referred to the Assembly Committee on Insurance.

[2023 SB 341](#) and [2023 AB 340](#) require health insurance plans to cover maternity and newborn care, as specified by the commissioner of insurance by rule. The bill specifies a list of requirements that the commissioner must follow when establishing the maternity and newborn care benefit, including certain limitations on cost sharing.

2023 SB 341 was introduced by Sen. Roys and referred to the Senate Committee on Insurance and Small Business. 2023 AB 340 was introduced by Rep. Vining and referred to the Assembly Committee on Health, Aging and Long-Term Care.

[2023 SB 492](#) and [2023 AB 519](#) require municipal employers to offer a health insurance plan that is offered by the Group Insurance Board to eligible employees of a school district.

2023 SB 492 was introduced by Sen. Johnson and referred to Senate Committee on Education. 2023 AB 519 was introduced by Rep. Considine and referred to the Assembly Committee on Insurance.

[2023 SB 574](#) and [2023 AB 584](#) prohibit health insurance policies and governmental self-insured health plans that cover insulin and impose cost sharing on prescription drugs from imposing cost sharing on insulin in an amount that exceeds \$35 for a one-month supply.

2023 SB 574 was introduced by Sen. Pfaff and referred to the Senate Committee on Insurance and Small Business. 2023 AB 584 was introduced by Rep. Anderson and referred to the Assembly Committee on Insurance.

[2023 SB 645](#) includes the following provisions related to clinical trials:

- Requires health insurance plans cover out-of-network care related to clinical trials for cancer or another life-threatening condition.
- Requires health insurance plans to impose the same cost-sharing requirements for a given item or service from an out-of-network provider as would apply for in-network providers, and pay the provider for the difference between the total cost and the cost-sharing amount.
- Prohibits health insurance policies from discriminating against any individual based on the individual's participation in an approved clinical trial.

2023 SB 645 was introduced by Sen. Jacque and referred to the Senate Committee on Insurance and Small Business.

Staff will be at the Board meeting to answer any questions.