



LAWS OF ALASKA

2003

Source

SCS CSHB 195(L&C)

Chapter No.

AN ACT

Relating to the state health insurance plan; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the state health insurance plan; and providing for an effective date.

2

3 * **Section 1.** AS 21.55.130 is amended by adding a new subsection to read:

4 (e) A state plan issued to a qualified TAA eligible individual may not impose
5 a preexisting condition exclusion.

6 * **Sec. 2.** AS 21.55.150(c) is amended to read:

7 (c) The board shall determine standard risk premium rates by considering the
8 premium rates charged by members of the association offering, to residents of the
9 state, health insurance benefits substantially equivalent to benefits under the state plan.
10 The premium for a state plan may not exceed 150 [200] percent of the standard risk
11 premium rates determined by the board.

12 * **Sec. 3.** AS 21.55.300(a) is amended to read:

13 (a) Except as provided in this section, a state resident who is a high risk, a
14 TAA eligible individual, or a federally defined eligible individual is eligible to enroll
15 in a state plan described in AS 21.55.100.

1 * **Sec. 4.** AS 21.55.300(b) is amended to read:

2 (b) Except for a federally defined eligible individual **or TAA eligible**
3 **individual**, a person may not be covered by the state plan

4 (1) while covered by another health insurance policy or subscriber
5 contract; or

6 (2) if the person is eligible to be covered

7 **(A)** by a plan subject to the requirements of AS 21.56.110 -
8 21.56.250;

9 **(B)** **under another state or federal law, including veterans'**
10 **benefits, Native health care, or Medicaid, but not including Medicare; or**

11 **(C)** **under another health benefit program, including self-**
12 **insurance plan, health care trust, or welfare trust.**

13 * **Sec. 5.** AS 21.55.320 is amended to read:

14 **Sec. 21.55.320. Plan administrator's response.** Within 30 days after
15 receiving the application described in AS 21.55.310, the plan administrator shall

16 **(1) provide the applicant with either a notice of rejection** [EITHER
17 REJECT THE APPLICATION] for failing to comply with the requirements of
18 AS 21.55.300 and 21.55.310 or [FORWARD THE ELIGIBLE PERSON] a notice of
19 acceptance; **and**

20 **(2) for a TAA eligible individual, send a notice to the director**
21 **specifying the name, address, social security number, and effective date of**
22 **coverage.**

23 * **Sec. 6.** AS 21.55.500(18) is amended to read:

24 (18) "resident" means (A) except for a federally defined eligible
25 individual **or TAA eligible individual** [AND AN INDIVIDUAL WHO IS ABSENT
26 FROM THE STATE FOR MORE THAN 90 CONSECUTIVE DAYS FOR
27 REASONS OTHER THAN FOR MEDICAL TREATMENT OR EDUCATION], an
28 individual who (i) is physically present in the state, has lived in the state for at least
29 the 12 consecutive months immediately preceding the application for a state plan, and
30 intends to remain permanently in the state; or (ii) is not physically present in the state
31 if the person lived in the state for at least nine of the 12 months immediately preceding

1 application for a state plan and the person's absence from the state is for medical
2 treatment or education; **or** (B) for a federally defined eligible individual **or TAA**
3 **eligible individual**, an individual who is legally domiciled in this state; **"resident"**
4 **does not include an individual who is absent from the state for more than 90**
5 **consecutive days for reasons other than for medical treatment or education;**

6 * **Sec. 7.** AS 21.55.500 is amended by adding new paragraphs to read:

7 (23) "qualified TAA eligible individual" means a qualifying individual
8 as defined under 26 U.S.C. 35 (Internal Revenue Code, as enacted by sec. 201(a) of
9 the Trade Adjustment Assistance Reform Act of 2002);

10 (24) "TAA eligible individual" means an eligible individual or a
11 qualifying family member as defined under 26 U.S.C. 35 (Internal Revenue Code, as
12 enacted by sec. 201(a) of the Trade Adjustment Assistance Reform Act of 2002).

13 * **Sec. 8.** AS 21.55.140(b) is repealed.

14 * **Sec. 9.** This Act takes effect July 1, 2003.