

**SENATE CS FOR CS FOR HOUSE BILL NO. 195(L&C)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 5/19/03

Referred: Rules

Sponsor(s): REPRESENTATIVES ROKEBERG, Lynn

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the state health insurance plan; and providing for an effective date."**

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

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.