

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001 be amended to read as follows:

- 1           Page 100, between lines 18 and 19, begin a new paragraph and  
2           insert:  
3           "SECTION 40. IC 4-1-12 IS ADDED TO THE INDIANA CODE  
4           AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5           UPON PASSAGE]:  
6           **Chapter 12. Implementation of the Patient Protection and  
7           Affordable Care Act**  
8           **Sec. 1. As used in this chapter, "federal health care act" refers  
9           to the federal Patient Protection and Affordable Care Act (P.L.  
10          111-148), as amended by the federal Health Care and Education  
11          Reconciliation Act of 2010 (P.L. 111-152), as amended, and  
12          regulations or guidance issued under those acts.**  
13          **Sec. 2. Notwithstanding any other law, the following apply:**  
14          **(1) A state agency may not implement or prepare to  
15          implement the federal health care act.**  
16          **(2) Except as specifically authorized by state law, the  
17          department of state revenue may not cooperate, work, or  
18          adopt rules to comply with the federal health care act.**  
19          **(3) A state agency may not apply or accept a grant that is  
20          specifically intended to comply with or implement the federal  
21          health care act, unless the state agency's grant has been  
22          reviewed by the legislative council. The legislative council may  
23          issue an advisory recommendation to the state agency  
24          concerning the grant.**  
25          **(4) A state agency may not make a request for authority or  
26          permission from any federal agency to implement or comply  
27          with the federal health care act. However, a state agency may  
28          respond to inquiries from a federal agency.**  
29          **(5) Except as specifically authorized by state law, a state  
30          agency may not adopt a rule to implement or comply with the**

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**federal health care act.**

**Sec. 3. (a) As used in the section, "health plan" means a policy, contract, certificate, or agreement offered or issued by a carrier to provide, deliver, arrange for, pay for, or reimburse the costs of health care services.**

**(b) Notwithstanding any other law, a resident of Indiana may not be required to purchase a health plan. A resident may delegate the resident's authority to purchase or decline to purchase a health plan to the resident's employer.**

**Sec. 4. Notwithstanding any other law, an insurer (as defined in IC 27-1-2-3) that is doing business in Indiana is not required to comply with the medical loss ratio requirements under Section 2718 of the federal Public Health Service Act, as added by the federal health care act. However, an insurer shall report the medical loss ratio to the Indiana department of insurance and provide the information in a manner that is accessible to the public."**

Renumber all SECTIONS consecutively.  
(Reference is to EHB 1001 as printed April 19, 2011.)

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Senator DELPH