

# HOUSE BILL No. 1439

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-5-36.

**Synopsis:** Affordable care study committee. Establishes the Indiana affordable care study committee to study and make recommendations to the legislative council concerning establishment and implementation of a health benefit exchange in Indiana and defining "essential health benefits" for use in Indiana. Requires the department of insurance to annually report to the study committee concerning the status and operation of the health benefit exchange established by the department of insurance.

**Effective:** Upon passage.

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**DeLaney**

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January 22, 2013, read first time and referred to Committee on Insurance.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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# HOUSE BILL No. 1439



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 2-5-36 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 36. Indiana Affordable Care Study Committee**  
5 **Sec. 1. As used in this chapter, "affordable care act" refers to**  
6 **the federal Patient Protection and Affordable Care Act (P.L.**  
7 **111-148), as amended by the federal Health Care and Education**  
8 **Reconciliation Act of 2010 (P.L. 111-152).**

9 **Sec. 2. As used in this chapter, "committee" refers to the**  
10 **Indiana affordable care study committee established by section 4**  
11 **of this chapter.**

12 **Sec. 3. As used in this chapter, "exchange" refers to an**  
13 **American health benefit exchange established under the affordable**  
14 **care act.**

15 **Sec. 4. (a) There is established the Indiana affordable care study**  
16 **committee.**

17 **(b) The committee shall study and make recommendations**



1 concerning the following:

2 (1) The establishment and implementation of an exchange in  
3 Indiana.

4 (2) The definition of "essential health benefits" for use in  
5 Indiana under the affordable care act, including ensuring that  
6 the definition results in adequate benefits.

7 (c) The committee shall receive and consider annual reports  
8 from the department of insurance concerning the status and  
9 operation of the exchange established by the department of  
10 insurance.

11 (d) The committee shall, not later than November 1 of each  
12 year, report the committee's findings and recommendations  
13 concerning the committee's study under subsection (b) to the  
14 legislative council in an electronic format under IC 5-14-6.

15 Sec. 5. The committee shall operate under the policies governing  
16 study committees adopted by the legislative council.

17 Sec. 6. (a) The committee consists of the following voting  
18 members:

19 (1) Four (4) members of the senate, not more than two (2) of  
20 whom may be members of the same political party, appointed  
21 by the president pro tempore.

22 (2) Four (4) members of the house of representatives, not  
23 more than two (2) of whom may be members of the same  
24 political party, appointed by the speaker.

25 (3) The secretary of family and social services or the  
26 secretary's designee.

27 (4) The commissioner of the state department of health or the  
28 commissioner's designee.

29 (5) The commissioner of insurance or the commissioner's  
30 designee.

31 (6) One (1) member representing the insurance industry.

32 (7) One (1) member representing hospitals.

33 (8) One (1) member representing physicians.

34 (b) The president pro tempore shall appoint a chairperson of the  
35 committee during each even-numbered year. The speaker shall  
36 appoint a chairperson of the committee during each odd-numbered  
37 year.

38 Sec. 7. The affirmative votes of a majority of the voting  
39 members appointed to the committee are required for the  
40 committee to take action on any measure, including final reports.

41 Sec. 8. This chapter expires July 1, 2016.

42 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The department

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1 of insurance shall, not later than July 1 of each year, report to the  
2 Indiana affordable care study committee established by IC 2-5-36,  
3 as added by this act, concerning the status and operation of the  
4 exchange (as defined in IC 2-5-36-3, as added by this act).

5 (b) This SECTION expires July 1, 2016.

6 SECTION 3. An emergency is declared for this act.

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