



General Assembly

Amendment

February Session, 2014

LCO No. 3418

SB0001103418SR0

Offered by:
SEN. KELLY, 21st Dist.

To: Subst. Senate Bill No. 11

File No. 8

Cal. No. 44

**"AN ACT CONCERNING THE DUTIES OF THE CONNECTICUT
HEALTH INSURANCE EXCHANGE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (c) of section 38a-1083 of the 2014 supplement
4 to the general statutes is repealed and the following is substituted in
5 lieu thereof (*Effective October 1, 2014*):

6 (c) The exchange is authorized and empowered to:

7 (1) Have perpetual successions as a body politic and corporate and
8 to adopt bylaws for the regulation of its affairs and the conduct of its
9 business;

10 (2) Adopt an official seal and alter the same at pleasure;

11 (3) Maintain an office in the state at such place or places as it may
12 designate;

13 (4) Employ such assistants, agents, managers and other employees
14 as may be necessary or desirable;

15 (5) Acquire, lease, purchase, own, manage, hold and dispose of real
16 and personal property, and lease, convey or deal in or enter into
17 agreements with respect to such property on any terms necessary or
18 incidental to the carrying out of these purposes, provided all such
19 acquisitions of real property for the exchange's own use with amounts
20 appropriated by this state to the exchange or with the proceeds of
21 bonds supported by the full faith and credit of this state shall be
22 subject to the approval of the Secretary of the Office of Policy and
23 Management and the provisions of section 4b-23;

24 (6) Receive and accept, from any source, aid or contributions,
25 including money, property, labor and other things of value;

26 (7) Charge assessments or user fees to health carriers that are
27 capable of offering a qualified health plan through the exchange or
28 otherwise generate funding necessary to support the operations of the
29 exchange and impose interest and penalties on such health carriers for
30 delinquent payments of such assessments or fees;

31 (8) Procure insurance against loss in connection with its property
32 and other assets in such amounts and from such insurers as it deems
33 desirable;

34 (9) Invest any funds not needed for immediate use or disbursement
35 in obligations issued or guaranteed by the United States of America or
36 the state and in obligations that are legal investments for savings banks
37 in the state;

38 (10) Issue bonds, bond anticipation notes and other obligations of
39 the exchange for any of its corporate purposes, and to fund or refund
40 the same and provide for the rights of the holders thereof, and to
41 secure the same by pledge of revenues, notes and mortgages of others;

42 (11) Borrow money for the purpose of obtaining working capital;

43 (12) Account for and audit funds of the exchange and any recipients
44 of funds from the exchange;

45 (13) Make and enter into any contract or agreement necessary or
46 incidental to the performance of its duties and execution of its powers.
47 The contracts entered into by the exchange shall not be subject to the
48 approval of any other state department, office or agency, provided
49 copies of all contracts of the exchange shall be maintained by the
50 exchange as public records, subject to the proprietary rights of any
51 party to the contract;

52 (14) To the extent permitted under its contract with other persons,
53 consent to any termination, modification, forgiveness or other change
54 of any term of any contractual right, payment, royalty, contract or
55 agreement of any kind to which the exchange is a party;

56 (15) Award grants to trained and certified individuals and
57 institutions that will assist individuals, families and small employers
58 and their employees in enrolling in appropriate coverage through the
59 exchange. Applications for grants from the exchange shall be made on
60 a form prescribed by the board;

61 [(16) Limit the number of plans offered, and use selective criteria in
62 determining which plans to offer, through the exchange, provided
63 individuals and employers have an adequate number and selection of
64 choices;]

65 [(17)] (16) Evaluate jointly with the SustiNet Health Care Cabinet
66 the feasibility of implementing a basic health program option as set
67 forth in Section 1331 of the Affordable Care Act;

68 [(18)] (17) Sue and be sued, plead and be impleaded;

69 [(19)] (18) Adopt regular procedures that are not in conflict with
70 other provisions of the general statutes, for exercising the power of the
71 exchange; and

72 [(20)] (19) Do all acts and things necessary and convenient to carry

73 out the purposes of the exchange, provided such acts or things shall
74 not conflict with the provisions of the Affordable Care Act, regulations
75 adopted thereunder or federal guidance issued pursuant to the
76 Affordable Care Act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	38a-1083(c)