

## Proposed Language for 1332 Waiver Authorization Bill

A bill to authorize specific action under 1956 PA 218, entitled The Insurance Code of 1956 by authorizing action under MCL 200.205 entitled Commissioner; powers.

Authorize the Commissioner of the Michigan Department of Insurance and Financial Services to convene a Task Force to develop a health care reform plan to obtain a State Innovation Waiver (Waiver). The Task Force will present its recommendation and Waiver Application to the Commissioner for acceptance or rejection. Such acceptance or rejection of the Task Force's recommendation must be effectuated within 14 days of transmission to the Commissioner. Once accepted, the Commissioner is authorized to act as necessary to implement the approved Waiver in a manner consistent with state and federal law and for implementation by January 1, 2019.

The Task Force must draft its recommendation and Application to the Commissioner in a fashion acceptable to the Secretaries of Health and Human Services and the Treasury and produce:

- (1) Comprehensive description of the Waiver plan including timeline for implementation;
- (2) Which specific provisions of the Affordable Care Act Michigan seeks to waive;
- (3) Actuarial analysis and certifications and economic analysis of the costs and effect on the federal deficit over the Waiver period and a ten-year budget period;
- (4) Analysis of the impact of the Waiver on coverage and deficit neutrality in accordance with Section 1332(b)(1) of the Affordable Care Act;
- (5) Public hearings; and
- (6) Draft recommended legislation language providing for the implementation of the Waiver, if necessary in accordance with federal guidance.

The purpose of this Act is to authorize the Commissioner to develop a Task Force to facilitate the development of Waiver which shall be designed to strengthen Michigan's health insurance market by providing greater access to and affordability of health insurance in the State of Michigan, and improving market stability particularly with respect to coverage offered on the state's health insurance Exchange. The Waiver shall be appropriately designed to take into account as much flexibility as the relevant federal authorities provide and as is warranted to implement the Waiver.

### **Definitions:**

"Commissioner" is defined as the Commissioner of the Michigan Department of Insurance and Financial Services.

"Task Force" is a delegated group of stakeholders which expertise in health care and insurance appointed by the Commissioner to obtain a State Innovation Waiver. One such stakeholder must be employed or represent the Michigan Association of Health Plans (MAHP).

"Waiver" is a State Innovation Waiver under Section 1332 of the Affordable Care Act.