

# NORTH CAROLINA GENERAL ASSEMBLY



---

## JOINT STUDY COMMITTEE ON THE AFFORDABLE CARE ACT AND IMPLEMENTATION ISSUES (2013)

---

### REPORT TO THE 2014 SESSION of the 2013 GENERAL ASSEMBLY OF NORTH CAROLINA

MAY 2014

A LIMITED NUMBER OF COPIES OF THIS REPORT ARE AVAILABLE FOR  
DISTRIBUTION THROUGH THE LEGISLATIVE LIBRARY

ROOM 500  
LEGISLATIVE OFFICE BUILDING  
RALEIGH, NORTH CAROLINA 27603-5925  
TELEPHONE: (919) 733-9390

DRAFT

---

# TRANSMITTAL LETTER

---

May 13, 2014

TO THE MEMBERS OF THE 2014 REGULAR SESSION  
OF THE 2013 GENERAL ASSEMBLY

The **JOINT STUDY COMMITTEE ON THE AFFORDABLE CARE ACT AND IMPLEMENTATION ISSUES (2013)**, respectfully submits the following recommended legislation as its report to the 2014 Regular Session of the 2013 General Assembly.

---

Sen. David Curtis (Chair)

---

Rep. Jeff Collins (Chair)

---

Sen. Fletcher Hartsell (Chair)

---

Rep. Jim Fulghum (Chair)

This page intentionally left blank

DRAFT

---

# LEGISLATIVE PROPOSAL

---

## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2013

S

D

**BILL DRAFT 2013-MEz-106\* [v.17] (04/24)**

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
5/13/2014 9:17:47 AM**

Short Title: Health Ins. Coverage Mandates / ACA Costs.

(Public)

Sponsors:

Referred to:

### A BILL TO BE ENTITLED

AN ACT TO PROVIDE A MORATORIUM ON NEW HEALTH INSURANCE MANDATES BEGINNING JANUARY 1, 2015, AND LASTING UNTIL JULY 1, 2016, AND TO REQUIRE THE COSTS ATTRIBUTABLE TO THE AFFORDABLE CARE ACT TO BE IN HEALTH PLAN ENROLLMENT MATERIALS, AS RECOMMENDED BY JOINT STUDY COMMITTEE ON THE AFFORDABLE CARE ACT AND IMPLEMENTATION ISSUES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 58-50-63, which expired July 1, 2005, by operation of Section 3 of S.L. 2001-453, is reenacted and reads as rewritten:

**"§ 58-50-63. Additional coverage mandates prohibited; exception.**

(a) Notwithstanding any other provision of law to the contrary, except as otherwise provided in this section, ~~an insurer shall not deliver, issue, or renew a health benefit plan after July 1, 2003, that includes any no~~ additional coverage requirements shall be imposed beyond those requirements in effect for health benefit plans on ~~June 30, 2003.~~ January 1, 2015.

(b) Nothing in this section shall be construed to prohibit (i) an employer from electing to expand coverage on any group or individual health benefit plan or policy covering the employer and the employees of the ~~employer.~~ employer or (ii) the inclusion of benefits within a health benefit plan that are in addition to those mandated by law.

(c) As used in this section, the terms 'insurer' and 'health benefit plan' have the meaning applied in ~~G.S. 58-3-167.~~ G.S. 58-3-167 and the term 'coverage requirements' includes benefits specific to care, treatment and services that an insurer is required to offer as well as benefits relating to coverage of provider types, cost-sharing, or reimbursement methods."

**SECTION 2.** The Joint Study Committee on the Affordable Care Act and Implementation Issues shall study the following issues related to health insurance mandates:

- (1) The cost to employers and individuals of unfunded insurance mandates.
- (2) The potential cost to the State of insurance mandates in light of the requirement of the Affordable Care Act that states bear the cost of certain state insurance mandates for persons enrolled through an exchange.

1 (3) The cost to insurers of adding mandated coverage to their plans, including  
2 the costs of modifying existing plans to include new mandates.  
3 In conducting the study, the Committee shall consider cost benefit analysis to determine the  
4 cost efficiency of mandated benefits. The Committee shall report its findings and  
5 recommendations to the 2015 General Assembly.

6 **SECTION 3.** Part 1 Article 50 of Chapter 58 of the General Statutes is amended by  
7 adding a new section to read:

8 "**§ 58-50-47. Cost of Affordable Care Act included in health plan enrollment materials.**

9 All insurers shall include in any health benefit plan enrollment materials the impact on the  
10 cost of the premiums for the respective line of business that is attributable to the Patient  
11 Protection and Affordable Care Act, P.L. 111-148, as amended, and any regulations adopted  
12 thereunder."

13 **SECTION 4.** Section 3 of this act becomes effective January 1, 2015, and applies  
14 to all contracts issued, renewed or amended on or after that date. The remainder of this act is  
15 effective when it becomes law. Section 1 of this act expires July 1, 2016.