**An Act To Maximize Health Care Coverage for the Uninsured through Easy Enrollment in the MaineCare Program or in a Qualified Health Plan in the Marketplace**

L.D. 1390

Date: (Filing No. H- )

**Health Coverage, Insurance and Financial Services**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE**

**HOUSE OF REPRESENTATIVES**

**130th Legislature**

**First Special Session**

COMMITTEE AMENDMENT “      ” to H.P. 1024, L.D. 1390, “An Act To Maximize Health Care Coverage for the Uninsured through Easy Enrollment in the MaineCare Program or in a Qualified Health Plan in the Marketplace”

Amend the bill by striking out all of section 1 and inserting the following:

'**Sec. 1. 22 MRSA §5412** is enacted to read:

**§5412. Easy enrollment program**

The easy enrollment program is established under this chapter to identify residents of this State who are uninsured but qualify for benefits under the MaineCare program or a qualified health plan in the marketplace.

**1. Tax checkoff.** A person filing a tax return in this State pursuant to Title 36, chapter 803 who has marked the relevant check-off boxes on the state income tax form as described in Title 36, section 5293 is identified as a person who may be provisionally assessed as eligible for benefits under the MaineCare program or to enroll in a qualified health plan in the marketplace. The department, in conjunction with the superintendent and the Department of Administrative and Financial Services, Bureau of Revenue Services, shall determine by rule the information necessary to be shared with the marketplace to provisionally assess eligibility and the schedule regarding the frequency of transferring the information.

**2. Eligibility determination.** The marketplace shall determine whether the person filing the tax return under subsection 1 has an address in the State and whether the persons in the household indicated as uninsured are already enrolled in the MaineCare program or a qualified health plan in the marketplace. The marketplace shall mail a notice to households with an address in the State and with persons in the household who are uninsured. The notice must notify the person filing the tax return that the person or other uninsured members of the household may be eligible for health care coverage and provide information about the special enrollment period available on the marketplace pursuant to subsection 3 and that MaineCare enrollment is available at any time. If the person filing the tax return has included an e-mail address or other contact information, the marketplace shall contact the person using the preferred method of communication indicated on the tax return.

**3. Special enrollment period; assistance; coverage begins.** A person filing a tax return under subsection 1 who is provisionally assessed as eligible to enroll in a qualified health plan in the marketplace has a special enrollment period that begins on the date of the tax filing and ends 35 days from the date of the notice mailed by the marketplace to the person pursuant to subsection 2. Once a person begins the application to enroll in a qualified health plan in the marketplace, the marketplace shall provide assistance through follow-up e-mails or another preferred method of communication until the person is successfully enrolled or the marketplace determines that the person does not wish to enroll. Coverage in the marketplace is effective on the first day of the month after the date a plan is selected by the person.

**4. Medicaid coverage.** If the marketplace determines that any member of the household is eligible for benefits under the MaineCare program under this section, the marketplace shall notify the department and the person who filed the tax return of the potential eligibility. The department shall contact the person who filed the tax return using the person's preferred method of communication and provide assistance with the MaineCare application unless the marketplace determines that the person does not wish to enroll.

**5. Outreach efforts.** The marketplace and department, after appropriate consultation with the superintendent, shall jointly develop educational materials and programming to communicate the purpose of the income tax checkoff under Title 36, section 5293 and the benefits of enrolling in the MaineCare program or a qualified health plan in the marketplace to the public. The materials and programming must include materials developed for different target groups in the public, including, but not limited to, tax preparers, consumer assistance organizations, community groups and underserved groups. The materials must be made available in English and in languages appropriate for communities in the State whose primary languages are not English.'

Amend the bill in section 2 in §5413 in subsection 1 in the first line (page 2, line 10 in L.D.) by striking out the following: "superintendent" and inserting the following: 'department'

Amend the bill in section 2 in §5413 in subsection 1 by striking out all of the 2nd and 3rd sentences (page 2, lines 16 to 20 in L.D.) and inserting the following: 'The commissioner and the superintendent or the commissioner's or superintendent's designees are cochairs and shall convene the advisory group. The chairs shall jointly appoint members to the advisory group, and members must include the stakeholders described in section 5404, subsection 2, paragraph B and representatives of the Department of Administrative and Financial Services, Bureau of Revenue Services and professional tax preparers.'

Amend the bill in section 2 in §5413 in subsection 2 in the first line (page 2, line 22 in L.D.) by striking out the following: "superintendent" and inserting the following: 'department'

Amend the bill in section 2 in §5413 in subsection 2 in the 6th line (page 2, line 27 in L.D.) by striking out the following: "determined" and inserting the following: 'provisionally assessed as'

Amend the bill in section 2 in §5413 in subsection 2 in the 11th line (page 2, line 32 in L.D.) by striking out the following: "2022" and inserting the following: '2023'

Amend the bill in section 3 in paragraph MMM in the first 2 lines (page 2, lines 35 and 36 in L.D.) by striking out the following: "and the Superintendent of Insurance"

Amend the bill in section 4 in §5293 in subsection 1 in the 2nd line (page 2, line 42 in L.D.) by striking out the following: "2021, the State Tax Assessor" and inserting the following: '2022, the assessor'

Amend the bill in section 4 in §5293 in subsection 1 in paragraph E in the first line (page 3, line 9 in L.D.) by inserting after the following: "address," the following: 'telephone number or other preferred method of communication,'

Amend the bill in section 4 in §5293 in subsection 2 in the first line (page 3, line 11 in L.D.) by striking out the following: "bureau" and inserting the following: 'assessor'

Amend the bill in section 4 in §5293 in subsection 3 in the first line (page 3, line 16 in L.D.) by striking out the following: "bureau" and inserting the following: 'assessor'

Amend the bill by inserting after section 4 the following:

'**Sec. 5. Appropriations and allocations.**  The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for costs to capture, collect and report the data related to the health insurance individual income tax check-off box.

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| --- | --- | --- |
| **GENERAL FUND** | **2021-22** | **2022-23** |
| All Other | $0 | $3,855 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| GENERAL FUND TOTAL | $0 | $3,855 |

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for one-time computer programming costs to add the health insurance check-off boxes to the individual income tax return.

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| --- | --- | --- |
| **GENERAL FUND** | **2021-22** | **2022-23** |
| All Other | $0 | $55,000 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| GENERAL FUND TOTAL | $0 | $55,000 |

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| --- | --- | --- |
| **ADMINISTRATIVE AND FINANCIAL** **SERVICES, DEPARTMENT OF** |  |  |
| **DEPARTMENT TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **GENERAL FUND** | **$0** | **$58,855** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$58,855** |

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Maine Health Insurance Marketplace Trust Fund Z292**

Initiative: Provides funding for postage and supplies to send requested information to persons who check the health insurance check-off box on the individual income tax return.

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| --- | --- | --- |
| **OTHER SPECIAL REVENUE FUNDS** | **2021-22** | **2022-23** |
| All Other | $0 | $14,156 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $14,156 |

**Maine Health Insurance Marketplace Trust Fund Z292**

Initiative: Provides one-time funding for technology changes.

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| **OTHER SPECIAL REVENUE FUNDS** | **2021-22** | **2022-23** |
| All Other | $0 | $258,693 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $258,693 |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding for additional medical claims for new members that enter the MaineCare program through easy enrollment.

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| **GENERAL FUND** | **2021-22** | **2022-23** |
| All Other | $0 | $146,465 |
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| GENERAL FUND TOTAL | $0 | $146,465 |

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| --- | --- | --- |
| **FEDERAL EXPENDITURES FUND** | **2021-22** | **2022-23** |
| All Other | $0 | $257,911 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $257,911 |

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| --- | --- | --- |
| **HEALTH AND HUMAN SERVICES,** **DEPARTMENT OF** |  |  |
| **DEPARTMENT TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **GENERAL FUND** | **$0** | **$146,465** |
| **FEDERAL EXPENDITURES FUND** | **$0** | **$257,911** |
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$272,849** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$677,225** |

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| **SECTION TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **GENERAL FUND** | **$0** | **$205,320** |
| **FEDERAL EXPENDITURES FUND** | **$0** | **$257,911** |
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$272,849** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **SECTION TOTAL - ALL FUNDS** | **$0** | **$736,080** |

'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment delays the implementation of the easy enrollment health insurance program established in the bill for one year until tax years beginning on or after January 1, 2022.

The amendment requires that the voluntary check-off box on the income tax form include space to allow the taxpayer to identify the preferred method of communication for contact by the Maine Health Insurance Marketplace.

The amendment also clarifies the roles of the Department of Health and Human Services, the marketplace and the Department of Professional and Financial Regulation, Bureau of Insurance within the program and makes technical changes related to the provisional assessment of eligibility to enroll through the program. The amendment adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

**(See attached)**