

## 2018 State Legislation on Association Health Plans (AHPs)

State	Bill Number	Summary	Status
Alabama			
Alaska			
Arizona			
Arkansas			
California			
Colorado			
Connecticut			
Delaware			
Florida			
Georgia			
Hawaii	<a href="#"><u>HB 2208</u></a>	<ul style="list-style-type: none"> <li>Requires association health plan policies to comply with the laws of this State regardless of the association's domicile.</li> <li>Enables certain voluntary associations, including employer associations that issue association health plans, to qualify for authorization to transact insurance in the State.</li> </ul>	<b>ENACTED</b>
Idaho			
Illinois			
Indiana			
Iowa	<a href="#"><u>SF 2349</u></a>	<ul style="list-style-type: none"> <li>The Act requires the Commissioner of Insurance to adopt rules that allow for the creation of association health plans that are consistent with the final regulation to be issued by the United States Department of Labor and codified in 29 C.F.R. pt. 2510.</li> <li>The Act amends Iowa Code section 507A.4, exempting some transactions from unauthorized insurer sanctions, to update the exemption language regarding multiple employer welfare arrangements.</li> </ul>	<b>ENACTED</b>

		<ul style="list-style-type: none"> <li>• The Act amends Iowa Code section 509.1 to allow a group health insurance policy sponsored by an association health plan pursuant to the Act to be delivered in the state.</li> <li>• Health benefit plans sponsored by qualifying non-profit agricultural organizations domiciled in Iowa (including Iowa's Farm Bureau) are now exempted from Iowa's statutory provisions governing insurance.</li> </ul>	
<b>Kansas</b>			
<b>Kentucky</b>			
<b>Louisiana</b>			
<b>Maine</b>			
<b>Maryland</b>			
<b>Massachusetts</b>			
<b>Michigan</b>			
<b>Minnesota</b>			
<b>Mississippi</b>			
<b>Missouri</b>	<a href="#"><u>SB 639</u></a>	<ul style="list-style-type: none"> <li>• This act lowers, from fifty to twenty-five, the minimum number of members an association must have in order to purchase group health insurance.</li> </ul>	<b>Passed Insurance and Banking Committee- 1/30/18</b>
<b>Montana</b>			
<b>Nebraska</b>			
<b>Nevada</b>			
<b>New Hampshire</b>			
<b>New Jersey</b>	<a href="#"><u>SB 1210</u></a>	<ul style="list-style-type: none"> <li>• Prohibits Commissioner of Banking and Insurance from approving health benefits plans in the State that do not meet certain standards; requires enforcement action against offering of plans not in compliance.</li> </ul>	<b>Referred to Senate Commerce Committee- 1/25/18</b>
<b>New Mexico</b>			
<b>New York</b>			

North Carolina			
North Dakota			
Ohio			
Oklahoma			
Oregon			
Pennsylvania			
Rhode Island			
South Carolina			
South Dakota			
Tennessee			
Texas			
Utah	<a href="#">HB 39</a>	<ul style="list-style-type: none"> <li>Requires that an association group to be authorized by the commissioner before purchasing a group health insurance policy.</li> <li>Sets requirements for an association group; has been actively in existence for at least five years, has a constitution and bylaws, has a shared or common purpose that is not primarily a business or customer relationship, etc.</li> </ul>	<b>ENACTED</b>
Vermont	<a href="#">HB 892</a>	<ul style="list-style-type: none"> <li>This act defines association health insurance plans and directs the</li> <li>Commissioner of Financial Regulation to adopt rules regulating association health plans.</li> </ul>	<b>ENACTED</b>
Virginia	<a href="#">HB 1268</a>	<ul style="list-style-type: none"> <li>Authorizes an association organized as a nonstock corporation whose members are employers conducting business in the Commonwealth to sponsor a trust that may offer or sell health plans to its members.</li> <li>To be eligible to sponsor a plan, the association is required to; <ul style="list-style-type: none"> <li>Have been actively in existence for five years</li> <li>Have at least five members</li> <li>Have been formed for purposes other than obtaining or providing health benefits</li> <li>Operate as a non-profit entity</li> </ul> </li> <li>The bill requires that health plans offered or sold under the program provide coverage for essential health benefits.</li> <li>Also exempts such trusts from state taxation and from insurance regulations.</li> </ul>	<b>Left in Commerce and Labor Committee- 2/13/18</b>

	<a href="#">SB 934</a>	<ul style="list-style-type: none"> <li>• Authorizes an association organized as a nonstock corporation whose members are employers conducting business in the Commonwealth to sponsor a trust</li> <li>• To be eligible to sponsor a plan, the association is required to; <ul style="list-style-type: none"> <li>- Have been actively in existence for ten years</li> <li>- Have at least five members</li> <li>- Have been formed for purposes other than obtaining or providing health benefits</li> <li>- Operate as a non-profit entity</li> </ul> </li> <li>• The benefits plans may provide medical prescription drug, dental, and vision coverage for the employees of members and the sponsoring association and their dependents.</li> <li>• The benefits may be self-funded or purchased from an insurer.</li> <li>• The benefits consortium will be a multiple employer welfare arrangement subject to the provisions of the federal Employee Retirement Income Security Act of 1974.</li> </ul>	<b>Vetoed by Governor-5/18/18</b>
	<a href="#">SB 935</a>	<ul style="list-style-type: none"> <li>• Replaces references to "bona fide association," as used in provisions applicable to health care plans in the small employer market, with the term "sponsoring association."</li> <li>• Legislation defines "sponsoring association" as a nonstock corporation that, among other conditions, has been actively in existence for 10 years, has at least five members, has been formed for purposes other than obtaining or providing health benefits, and operates as a nonprofit entity.</li> </ul>	<b>Vetoed by Governor-5/18/18</b>
<b>Washington</b>			
<b>West Virginia</b>			
<b>Wisconsin</b>	<a href="#">AB 920 &amp; SB 806</a>	<ul style="list-style-type: none"> <li>• Allows for the establishment of employer groups to jointly provide health care benefits on a self-funded basis to the employers' eligible employees and their dependents under a health care benefit arrangement.</li> <li>• Two or more employers that are members of the same chamber of commerce or industry-based association may form an employer group.</li> <li>• Employer groups that provide evidence to the commissioner of insurance that they have formed and are able to comply with the requirements in the bill qualify to participate in the self-funded health benefits project.</li> </ul>	<b>Failed to concur in pursuant to Senate Joint Resolution 1; Likely dead-3/28/18</b>

		<ul style="list-style-type: none"><li>• The bill also establishes requirements to qualify as an employer group.</li></ul>	
<b>Wyoming</b>			