



# State of the States— Health Insurance Exchange Legislation

An MLA National Government Affairs Advisory

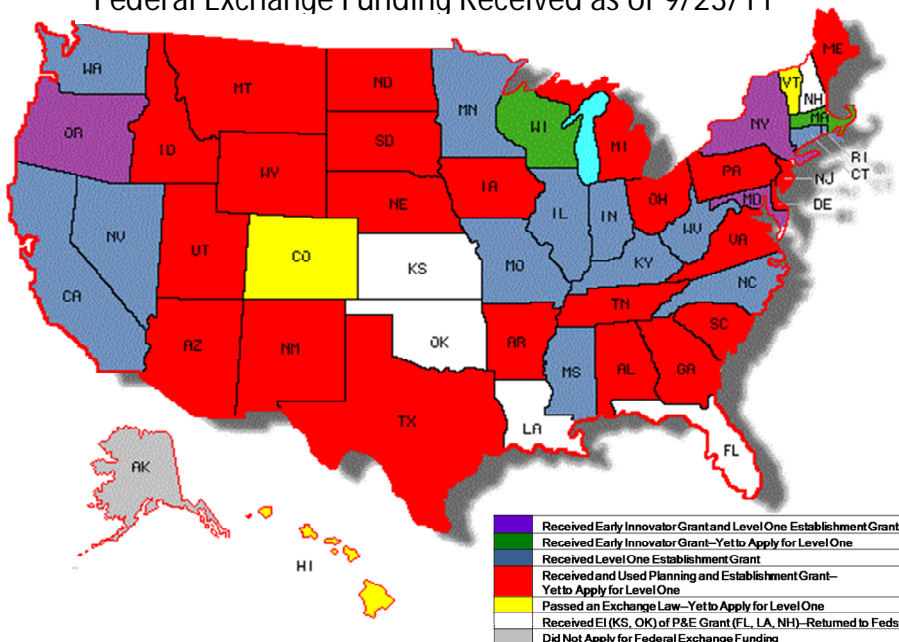
SEPTEMBER 23, 2011

**This Week in the States:** Governor Lincoln Chafee of Rhode Island became the first in the country to establish a full-blown exchange authority via executive order (Governor Mitch Daniels established the Indiana Insurance Market, Inc through a similar order but it remains a provisional entity until a final decision on exchange development is made). Chafee's creation of the Rhode Island Health Benefits Exchange came after legislation to establish an exchange failed earlier this year. The House refused to endorse a Senate-passed bill that would have prohibited the inclusion of coverage for abortion services in policies sold on the exchange. The state has already received more than \$6 million in federal planning money, including a Level One Establishment grant awarded earlier this year.

On the other side of the country, Idaho Governor Butch Otter released a statement announcing that he would direct state officials to apply for a \$31 million Establishment grant, despite his opposition to the federal health reform law. Otter pointed to Idaho's extensive previous study of, and support for, the exchange concept and his unwillingness to see a federal exchange set up in the state. The grant application will be filed with CCIIO prior to the upcoming Sept. 30 deadline.

*Below is a map illustrating federal funding received by the states for evaluation, planning and implementation of exchanges and a chart with more detail on the status of state legislation.*

Federal Exchange Funding Received as of 9/23/11



## Exchange Bill/ Executive Order Status (as of September 23, 2011)

State-run exchange operating (pre-PPACA):	MA, UT
Exchange established by law (post-PPACA):	CA, CO, CT, HI, MD, NV, OR, VT, WA, WV
Exchange established by executive order:	IN*, RI
Passed both houses – vetoed by Gov. (adjourned):	NM
Exchange analysis/ planning law passed:	IL, ME, ND, VA, WY
In committee:	NJ, PA
Dead for 2011 (regular session adjourned):	AK, AL, AR, AZ, DE, FL, GA, IA, ID, IN, KS, KY, LA, MN, MO, MS, MT, NC, NE, NH, NY*, OK, RI, SC, SD, TN, TX
No legislation introduced (in session):	MI, OH, WI

\*Indiana's exchange is provisional at this point, pending a decision by the state on moving forward.

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## Exchange Legislation Status

(All bills would establish state exchange, with exception of IL, ME, NE, VA and WY, which call for studies/recommendations)  
 Bold text = Passage by House or Senate; Signing or veto by Governor

Legislatures in states shaded in gray have adjourned for 2011

State	Bill Number	Status	Approximate Legislative Adjournment	Status of Exchange Bill(s) (Link to legislation that has passed)
AK	SB70	Referred to Finance Committee (3.23.11).	ADJOURNED FOR 2011, 4/17/2011	Dead for 2011 (legislature adjourned)
AL	HB 401	Pending Health Committee Action in House of origin (3.31.11).	ADJOURNED FOR 2011, 6/09/2011	Dead for 2011 (legislature adjourned)
AR1	SB880	Referred to Senate Committee on Public Health, Welfare & Labor (3.7.11).	ADJOURNED FOR 2011, 4/27/2011	Dead for 2011 (legislature adjourned)
AR2	HB2138	Engrossed in House 3.21.11. Sent to Interim Joint Study Committee on Insurance & Commerce (3.31.11).	ADJOURNED FOR 2011, 4/27/2011	Dead for 2011 (legislature adjourned)
AZ1	HB2666	Passed Banking and Insurance Committee (2.9.11). House Second Reading (2.10.11)	ADJOURNED FOR 2011, 4/20/2011	Dead for 2011 (legislature adjourned)
AZ2	SB1524	Referred to Committees on Banking & Insurance and Rules (2.2.11).	ADJOURNED FOR 2011, 4/20/2011	Dead for 2011 (legislature adjourned)
CA	Legislation establishing CA Health Benefits Exchange signed into law in October 2010.		ADJOURNED FOR 2011, 9/9/2011	<a href="#">AB1602</a> , <a href="#">SB900</a>
CO	SB200	Passed Senate (4.27.11). Amended version passed House (5.4.11). House-passed version passed by Senate and sent to Governor (5.5.11). Signed into law (6.1.11).	ADJOURNED FOR 2011, 5/11/2011	<a href="#">SB200</a>
CT	SB921	Referred to House and Senate Committees on Finance, Revenue and Bonding (3.29.11). Passed as amended, 23-13 (5.31.11). Passed House 108-30 (6.7.11). Sent to Governor for signature. Became Public Law (6.8.11)	6/8/2011	<a href="#">SB921</a>
DE	N/A		ADJOURNED FOR 2011, 6/30/2011	No exchange legislation introduced this session (legislature adjourned)

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FL	N/A		ADJOURNED FOR 2011, 5/7/2011	No exchange legislation introduced this session (legislature adjourned)
GA	HB476	House Committee favorable reported (3.10.11). House withdrawn, recommitted to the Rules Committee (3.16.11).	ADJOURNED FOR 2011, 4/14/2011	Dead for 2011 (legislature adjourned)
HI	SB1348	Passed Senate as amended. (3.8.11). Passed House as amended (4.12.11). Conference committee report passed House and Senate and sent to Governor (5.3.11).	ADJOURNED FOR 2011, 5/5/2011	<a href="#">SB1348</a>
IA1	SF235	Introduced, referred to Commerce (2.16.11). Subcommittee (2.17.11).	ADJOURNED FOR 2011, 6/29/2011	Dead for 2011 (legislature adjourned)
IA2	SF480	Passed Senate (3.21.11). Referred to House Comm. on Human Resources (3.22.11). In Subcommittee (3.24.11).		
ID	N/A		ADJOURNED FOR 2011, 4/8/2011	No exchange legislation introduced this session (legislature adjourned)
IL	HB1577	Passed House 108-8 (3.30.11). Passed Senate (5.29.11). <i>Study committee report and legislative recommendations due by 12.31.11.</i>	ADJOURNED FOR 2011, 5/30/2011	Exchange implementation analysis/plan required by 2011 law
IN	SB580	Referred to Committee on Health & Provider Services (1.20.11).	ADJOURNED FOR 2011, 4/29/2011	Dead for 2011 (legislature adjourned)
KS	N/A		ADJOURNED FOR 2011, 5/13/2011	No exchange legislation introduced this session (legislature adjourned)
KY	N/A		ADJOURNED FOR 2011, 3/9/2011	No exchange legislation introduced this session (legislature adjourned)
LA	N/A		ADJOURNED FOR 2011, 6/23/2011	No exchange legislation introduced this session (legislature adjourned)
MA	N/A		12/31/2011	Already operating state-run exchange (pre-PPACA)
MD	SB182	Passed Senate, 34-11 (3.28.11); Passed House, 106-29 (4.6.11). Signed into law (4.12.11).	ADJOURNED FOR 2011, 4/11/2011	<a href="#">SB182</a>
ME1	HP 1098 (LD 1497)	Referred to the Committee on Insurance and Financial Services.	ADJOURNED FOR 2011, 6/29/2011	Dead for 2011 (legislature adjourned)
ME2	HP 1165 (LD 1582)	Engrossed in House (6.7.11). Engrossed in Senate (6.7.11). Passed in House (6.8.11). Placed on Special Study Table Pending final passage in Senate (6.8.11). <i>Recommendations due to legislature and governor by 9.1.11 (PLANNING LAW ONLY)</i>		Exchange implementation analysis/plan required by 2011 law

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MI	N/A		12/31/2011	No exchange legislation introduced thus far
MN1	HF497	Referred to Health & Human Services Reform Committee (2.14.11).	ADJOURNED FOR 2011, 5/23/2011	Dead for 2011 (legislature adjourned)
MN2	SF917/HF1204	Referred to Commerce and Consumer Protection Committee (3.21.11).		Dead for 2011 (legislature adjourned)
MO	HB609	Voted and reported do pass by Rules Comm. (4.4.11).	ADJOURNED FOR 2011, 5/13/2011	Dead for 2011 (legislature adjourned)
MS	H1220	Passed House 82-36 (2.7.11); Passed Senate as amended 49-0 (3.2.11). Died in conference (3.28.11).	ADJOURNED FOR 2011, 4/7/2011	Dead for 2011 (legislature adjourned)
MT	HB124	Business & Labor Committee Hearing (2.1.11); Missed deadline for general bill transmittal (2.24.11).	ADJOURNED FOR 2011, 4/28/11	Dead for 2011 (legislature adjourned)
NC	HB115	Appropriations Comm. reported favorable Com. substitute (3.30.11). Re-referred to Comm. on Insurance (3.30.11). Passed House, 83-34 (5.25.11).	ADJOURNED FOR 2011, 6/19/2011	Dead for 2011 (legislature adjourned)
ND	HB1126	Passed House, 91-3 (2.22.11). Amended and passed by Senate 36-10 (4.6.11). Conference committee report passed by House 90-0 (4.22.11). Conference committee report passed by Senate 31-15 (4.25.11). Signed by Governor (5.9.11).	ADJOURNED FOR 2011, 4/28/11	Exchange implementation analysis/plan required by 2011 law
NE	LB240	Referred to Banking, Commerce & Insurance Committee (1.13.11). Notice of hearing for 2.14.11. (PLANNING LAW ONLY)	ADJOURNED FOR 2011, 5/20/2011	Dead for 2011 (legislature adjourned)
NH	SB163	Rereferred in Senate Commerce Committee (3.9.11).	ADJOURNED FOR 2011, 6/30/2011 <i>(may return in September to take up vetoes)</i>	Dead for 2011 (legislature adjourned)
NJ1	A3561	Introduced, referred to Assembly Health and Senior Services Committee (12.6.10). <i>Identical to bill S1288.</i>	1/12/2012	In committee in house of origin
NJ2	A1930	Reported from Assembly Committee as a substitute; 2nd reading (12.6.10). Referred to Assembly Health and Senior Services Committee (2.8.11). <i>Identical to S2553.</i> Passed Assembly (6.29.11)		Passed in house of origin/Pending in other house.

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NM	SB38	Passed Senate, 36-3 (3.2.11); Passed House, 34-31 (3.19.11). Vetoed by Governor (4.8.11)	ADJOURNED FOR 2011, 3/19/2011	Passed both houses, vetoed by governor. Dead for 2011 (legislature adjourned).
NV	SB440	Rereferred to Committee on Finance. (4.7.11). Passed Senate, 23-0 (5.30.11). Passed House, as amended, 38-0 (6.4.11). Returned to Senate for concurrence. Senate concurred and engrossed (6.6.11). Signed into law by Governor (6.16.11).	ADJOURNED FOR 2011, 6/7/2011	<a href="#">SB440</a>
NY2	A8514/S5849	Introduced (6.23.11). Passed Assembly (6.23.11).	REG. SESSION ADJOURNED FOR 2011, 6/24/2011	Passed in house of origin/Pending in other house. (A8514). Regular session adjourned but legislature expected back in September 2011.
OH	N/A		12/31/2011	No exchange legislation introduced thus far
OK1	SB971	Introduced (4.27.22). Referred to Joint Committee on Appropriations and Budget (5.2.11)	ADJOURNED FOR 2011, 5/27/2011	Dead for 2011 (legislature adjourned)
OK2	HB2130	House engrossed, 51-34 (3.21.11). 1st & 2nd reading in Senate - referred to Retirement & Insurance Committee (3.23.11). <i>Interim study committee named to develop recommendations on exchange establishment.</i>	ADJOURNED FOR 2011, 5/27/2011	Dead for 2011 (legislature adjourned)
OR	S99	Public hearings held (2.17-2.24-3.3-3.10). Passed Senate 24-5 (4.25.11). Passed House Committee on Health Care (6.1.11). Passed House, 42-18 (6.6.11). Signed into law by Governor (6.17.11)	ADJOURNED FOR 2011, 6/30/2011	<a href="#">SB99</a>
PA	H627	Referred to Insurance Committee (2.14.11).	12/31/2011	In committee in house of origin
RI	S87	Senate passed as amended (4.5.11). House Health, Education & Welfare Comm. Hearing schedule (4.13.11).	ADJOURNED FOR 2011, 6/30/2011	Dead for 2011 (legislature adjourned)
SC	H. 3738	Referred to Committee on Ways & Means (2.24.11).	ADJOURNED FOR 2011, 6/2/2011	Dead for 2011 (legislature adjourned)
SD	N/A		ADJOURNED FOR 2011, 3/28/2011	No exchange legislation introduced (legislature adjourned)
TN	N/A		ADJOURNED FOR 2011, 5/21/2011	No exchange legislation introduced this session (legislature adjourned)

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TX1	SB1586	Introduced (3.11.11). Referred to Finance Committee (3.23.11).	REG. SESSION ADJOURNED FOR 2011, 5/30/2011	Dead for 2011 (legislature adjourned)
TX2	H636	Considered in public hearing; committee substitute considered; testimony taken; left pending in committee (3.1.11).		
UT	N/A		ADJOURNED FOR 2011, 3/10/2011	Already operating state-run exchange (pre-PPACA)
VA	HB2434	Passed House, 95-Y 3-N (2.3.11); Passed Senate, 37-Y 1-N (2.17.11); Governor's recommendation adopted (4.6.11). <i>Task force report due by October 1, 2011.</i>	ADJOURNED FOR 2011, 2/27/2011	Exchange implementation analysis/plan required by 2011 law
VT	H202	Passed House with amendments, sent to Senate (3.24.11). Amended version passed Senate (4.29.11). Conference committee report adopted 21-9 in Senate (5.3.11). Report adopted 94-49 in House. Sent to Governor (5.5.11). Signed into law (5.26.11).	ADJOURNED FOR 2011, 5/6/2011	<a href="#">H202</a>
WA	S5445	Passed Senate, 27-22 (3.2.11). Passed House as amended, 75-22. Senate passed House version. Sent to Governor (4.18.11). Signed into law (5.11.11)	ADJOURNED FOR 2011, 4/24/2011.	<a href="#">S5445</a>
WI	N/A		12/31/2011	No exchange legislation introduced thus far
WV	SB408	Passed Senate (2.28.11); Passed House, 63-35 (3.12.11). Signed into law (4.4.11).	ADJOURNED FOR 2011, 3/12/2011	<a href="#">SB408</a>
WY	HB50	Passed House and Senate (3.3.11). Signed into law (3.10.11). <i>Task force report due by December 1, 2011.</i>	ADJOURNED FOR 2011, 3/3/2011	Exchange implementation analysis/plan required by 2011 law

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