

Sen. Stiles, Dist 24
Sen. Bradley, Dist 3
March 23, 2016
2016-1156s
01/06

Floor Amendment to SB 431

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to data submission by insurers.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Statement of Intent. The data submission requirements of RSA 420-G:11, IV and V as
8 inserted by section 2 of this act are intended to facilitate the proper functioning of insurance
9 markets and to benefit insured consumers and employers through price transparency that will
10 increase competition and enable all consumers and employers to make informed and cost-effective
11 health care choices. Such market transparency, as a form of insurance regulation, is intended to
12 enhance and optimize market conditions affecting the risk pooling arrangements between insurers
13 and insureds.

14 2 New Paragraphs; Disclosures by Health Carriers, Third Party Administrators, and Other
15 Insurance Entities. Amend RSA 420-G:11 by inserting after paragraph III the following new
16 paragraphs:

17 IV. The data submission requirements of paragraphs II and II-a shall apply with respect to
18 claims data for all lives covered by a fully-insured health plan in any market in the state, by any
19 self-funded plan for state or municipal employees, including any plan maintained under RSA 5-B, to
20 any self-funded plan maintained by the university system of the state with respect to its employees
21 or its students, and to any self-funded student health benefit plan maintained by an institution of
22 higher education which provides 4-year bachelor's degree programs and graduate or professional
23 degree programs.

24 V. In addition to those lives listed in paragraph IV, the data submission requirements of
25 paragraphs II and II-a shall also apply to all health carriers, licensed third party administrators,
26 and any entity required to be registered with the commissioner pursuant to RSA 402-H with respect
27 to claims data for all lives covered by any other self-funded employer-sponsored plan, when the
28 employer or plan sponsor has opted in in writing to the submission of the data. The commissioner
29 shall adopt rules under RSA 420-G:14 specifying the form of such opt in, which shall include notice
30 to the employer of the privacy protections for the data submitted and the transparency benefits,
31 including benefits to employers, of broad inclusion of as many lives as possible in the database
32 created under RSA 420-G:11-a. Nothing in this paragraph shall be construed to impose any

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- 1 reporting obligation on any self-funded employer or plan sponsor, or to impose any requirement
- 2 with respect to the manner in which any such self-funded plan is administered.
- 3 3 Effective Date. This act shall take effect 120 days after its passage.

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AMENDED ANALYSIS

This bill clarifies data submission required to be submitted to the insurance department by insurers.