

HOUSE BILL NO. 5284

October 26, 2023, Introduced by Reps. VanderWall, Rogers, Prestin, Mueller, Roth, Rheingans, Wilson, McFall, Steckloff, Brabec, Hill, Paiz, Morgan, Arbit, Wozniak, Young, Morse, MacDonell and Farhat and referred to the Committee on Health Policy.

A bill to amend 2018 PA 175, entitled
"Insurance provider assessment act,"
by amending section 13 (MCL 550.1763).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13. (1) All money received and collected under this act
2 ~~shall~~**must** be deposited by the department in the insurance provider
3 fund established in this section.

4 (2) The insurance provider fund is created within the state
5 treasury and ~~shall~~**must** be administered by the department for
6 auditing purposes.

1 (3) The state treasurer may receive money or other assets from
 2 any source for deposit into the fund. The state treasurer shall
 3 direct the investment of the fund. The state treasurer shall credit
 4 to the fund interest and earnings from fund investments.

5 (4) The department shall expend money from the fund, ~~upon~~**on**
 6 appropriation, only for 1 or more of the following purposes:

7 (a) Beginning in the ~~2018-2019~~ state fiscal year **ending**
 8 **September 30, 2019**, the first \$14,000,000.00 to be appropriated for
 9 the payment of actuarially sound capitation rates to Medicaid
 10 managed care organizations, and each state fiscal year thereafter,
 11 the amount necessary to continue to support the payment of
 12 actuarially sound capitation rates to Medicaid managed care
 13 organizations.

14 ~~(b) For the 2018-2019 state fiscal year, to appropriate an~~
 15 ~~amount not to exceed \$315,000,000.00 to offset the net revenue lost~~
 16 ~~under the health insurance claims assessment act, 2011 PA 142, MCL~~
 17 ~~550.1731 to 550.1741.~~

18 ~~(c) For the 2019-2020 state fiscal year, to appropriate an~~
 19 ~~amount not to exceed \$240,000,000.00 to offset the net revenue lost~~
 20 ~~under the health insurance claims assessment act, 2001 PA 142, MCL~~
 21 ~~550.1731 to 550.1741.~~

22 ~~(b) (d)~~To pay administrative and compliance costs in
 23 accordance with section 15.

24 **(c) Beginning in the state fiscal year ending September 30,**
 25 **2024, and each state fiscal year thereafter, to appropriate an**
 26 **amount not to exceed 0.5% of the money received from assessments**
 27 **levied under this act in the state fiscal year ending September 30,**
 28 **2024 to the department of health and human services for**
 29 **administration and compliance of the health information exchange**

1 designated under section 2505 of the public health code, 1978 PA
2 368, MCL 333.2505.

3 (d) Beginning in the state fiscal year ending September 30,
4 2025, \$10,000,000.00, and an additional 3% each state fiscal year
5 thereafter, to be appropriated for the operations of the health
6 information exchange designated under section 2505 of the public
7 health code, 1978 PA 368, MCL 333.2505.

8 (e) ~~(e)~~—The balance of the fund remaining after the
9 appropriations described in subdivisions (a) ~~, (b), (c), and to~~
10 (d), ~~shall~~**must** be transferred to a separate restricted account
11 within the insurance provider fund and ~~only~~ used **only** as
12 appropriated by the legislature.

13 (5) Money in the fund at the close of the fiscal year ~~shall~~
14 **must** remain in the fund and ~~shall~~**must** not lapse to the general
15 fund.

16 Enacting section 1. This amendatory act does not take effect
17 unless Senate Bill No. ____ or House Bill No. 5283 (request no.
18 03087'23) of the 102nd Legislature is enacted into law.