

RULED OUT OF ORDER
AUG 07 2019
JN



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 86

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S86-ABC-91 [v.1]

Page 1 of 2

Amends Title [YES]
Fourth Edition

Date 8/7, 2019

Representative Batch

1 moves to amend the bill on page 1, line 3, by rewriting the line to read:
2 "MULTIPLE EMPLOYER WELFARE ARRANGEMENTS AND TO ESTABLISH
3 PROTECTIONS FOR INDIVIDUALS WITH PREEXISTING CONDITIONS WHO SEEK
4 TO OBTAIN HEALTH INSURANCE COVERAGE.";

5
6 and on page 6, lines 8-9, by inserting the following between the lines:

7 "SECTION 6.1.(a) Article 3 of Chapter 58 of the General Statutes is amended by
8 adding a new section to read:

9 "§ 58-3-26. Preexisting conditions; health benefit plans.

10 (a) The following definitions apply in this section:

11 (1) Health benefit plan. – As defined in G.S. 58-3-167. The phrase also applies to
12 limited-scope dental and vision insurance.

13 (2) Preexisting exclusion. – A limitation or exclusion of benefits based on the fact
14 that a condition was present before the effective date of the coverage, or the
15 date of denial if coverage is denied, under a health benefit plan, whether or
16 not any medical advice, diagnosis, care, or treatment was recommended or
17 received before that date.

18 (b) An insurer offering a health benefit plan, including individual, large group, or small
19 group health coverage, in this State shall not impose any preexisting condition exclusions with
20 respect to coverage under the health benefit plan.

21 (c) Each insurer that offers a health benefit plan in this State must accept every employer
22 and every individual in the State who is eligible for the coverage and who applies for the
23 coverage.

24 (d) An insurer shall develop the premium rates for all health benefit plans offered in this
25 State based on the only following case characteristics:

26 (1) Whether the health benefit plan covers an individual or family. If the coverage
27 is family coverage in the individual or small group market, the insurer shall
28 apply the rating variations permitted under this subsection based on the
29 portion of premium that is attributable to each family member covered under
30 the health benefit plan in accordance with rules adopted by the Commissioner.

31 (2) The geographic rating area, established in accordance with federal law.



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1 (3) The age of the insured individuals, except that the rate shall not vary by more
2 than three to one for adults.

3 (4) The tobacco use of the insured individuals, except that the rate must not vary
4 by more than one and one-fifteenth to one.

5 (e) An insurer shall not adjust the premium charged for any health benefit plan offered
6 in this State on the individual or small group market more frequently than annually unless the
7 change is made to reflect any of the following:

8 (1) With respect to a health benefit plan offered in the small group market,
9 changes to the enrollment of the small employer.

10 (2) Changes to the family composition of the insured.

11 (3) With respect to a health benefit plan offered in the individual market, changes
12 in the geographic rating area of an insured or changes in the tobacco use of an
13 insured, as provided for in subsection (d) of this section.

14 (4) Changes to the health benefit plan requested by the insured or the small
15 employer.

16 (5) Changes required by federal law or regulations or otherwise expressly
17 permitted by State law."

18 SECTION 6.1.(b) The Department of Insurance may adopt rules to implement and
19 administer this section and to ensure that rating practices used by insurers are consistent with this
20 section.

21 SECTION 6.1.(c) Except as otherwise provided, this section is effective when it
22 becomes law.""

23
24
25
SIGNED _____



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____

NORTH CAROLINA HOUSE OF REPRESENTATIVES

SEQ. # 742
 LEGISLATIVE DAY 108
 SB 86 HCS 2
 Second Reading
 BISHOP



August 07, 2019
 6:25 PM
 IN CHAIR: Speaker
 3/5 Present and Voting - FAILED

ROLL CALL

Motion 12 / Appeal Ruling of Chair
 Small Business Health Care Act.

AYE - 50

Adcock	Clark	Hawkins	Montgomery
Ager	Clemmons	Holley	Morey
Alexander	Cunningham	Hunt	Pierce
Autry	Dahle	Hunter	Queen
Ball	Everitt	Insko	Reives
Batch	Farmer-Butterfield	Jackson	Russell
Beasley	Fisher	John	Smith, K.
Belk	Floyd	Lofton	Smith, R.
Black	Gailliard	Logan	Terry
Brewer	Garrison	Majeed	von Haefen
Brockman	Gill	Martin	Willingham
Butler	Harris	Meyer	Wray
Carney	Harrison		

NO - 64

Speaker	Elmore	Johnson, J.	Ross
Adams	Faircloth	Johnson, L.	Saine
Arp	Fraley	Jones	Sasser
Barnes	Goodwin	Kidwell	Sauls
Bell	Grange	Lambeth	Setzer
Boles	Hall, D.	Lewis	Smith, C.
Brisson	Hall, K.	McElraft	Speciale
Brody	Hanig	McGrady	Stevens
Bumgardner	Hardister	McNeely	Strickland
Carter	Hastings	McNeill	Szoka
Cleveland	Horn	Murphy	Torbett
Conrad	Howard	Pittman	Turner, B.
Corbin	Humphrey	Potts	Warren
Davis	Hurley	Presnell	White
Dixon	Iler	Riddell	Yarborough
Dobson	Jarvis	Rogers	Zachary

EXCUSED ABSENCE - 5

Blackwell	Quick	Richardson	Shepard
Graham			

EXCUSED VOTE - 0

NOT VOTING - 1

Lucas

