
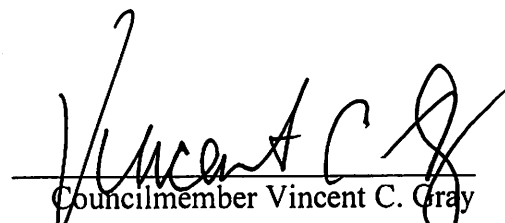



1 
2 Councilmember Mary M. Cheh


Councilmember Vincent C. Gray

Councilmember Brianne Nadeau

7 A BILL

11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

17 To limit the sale of short-term, limited-duration health insurance and ensure multiple employer
18 welfare arrangements are covered by small employer market rules.

20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
21 act may be cited as the “Health Insurance Marketplace Improvement Act of 2018”.

22 Sec. 2. Definitions.

23 For the purposes of this act, the term:

24 “Short-term limited duration health insurance” means health insurance that provides
25 medical, hospital, or major medical expense benefits coverage pursuant to a policy or contract
26 with an insurer and that has an expiration date specified in the policy or contract with an insurer
27 and that has an expiration date specified in the policy or contract that is less than three months
28 after the original effective date of the policy or contract. .

29 Sec. 3. Short-term Limited Duration Health Insurance.

30 (a) An insurer shall not provide short-term, limited-duration health insurance coverage
31 unless the insurer has a certificate of authority from the Commissioner to offer health insurance.

32 (b) A short-term, limited-duration health insurance policy or contract shall be
33 nonrenewable.

34 (c) A policy or contract for short-term, limited-duration health insurance coverage shall
35 display prominently in the policy or contract and in any application materials provided in
36 connection with enrollment in that coverage, in at least 14-point type, such disclosures as the
37 Commissioner may require regarding the scope of short-term, limited-duration coverage,
38 including the types of benefits and consumer protections that are and are not included.

39 Sec. 4. Health Insurance

40 (a) The Department of Insurance, Securities and Banking Omnibus Amendment Act of
41 2006, effective March 8, 2007 (D.C. Law 16-232; D.C. Official Code § 31-231, *et. seq.*) is
42 amended as follows:

43 (1) Section 102 (D.C. Official Code 31-231) is amended by adding the following
44 sentence to the end of the Section: “A self-insured multiple employer welfare arrangement that
45 offers or administers a health plan covering resident of the District acts as an insurer within the
46 scope of this title”

47 Sec. 5. D.C. Health Benefit Exchange

48 (a) The District of Columbia Health Benefit Exchange Authority Establishment Act of
49 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01, *et. seq.*), is
50 amended as follows:

51 (1) Section 2 (D.C. Official Code § 31-3171.01) is amended by adding a new
52 paragraph 5F as follows:

53 “(F) A health benefit plan offered by an insurer, association, professional
54 employer organization, or other entity that covers eligible employees located in the District of a
55 small employer in the District, including a plan issued under the laws of another state, shall be
56 treated as a health benefit plan offered to a small employer.”

57 Sec. 6. The Health Insurance Portability and Accountability Federal Law Conformity Act
58 of 1997

59 (a) The Health Insurance Portability and Accountability Federal Law Conformity Act of
60 1997, effective Apr. 13, 1998 (D.C. Law 12-209; D.C. Official Code § 31-3303.01, *et seq.*), is
61 amended as follows:

62 (1) Section 301 (D.C. Official Code 31-3303.01) is amended as follows:

63 (A) The first paragraph is amended by inserting an “(a)” at the beginning.

64 (B) A new paragraph (b) is added to read as follows:

65 “(b) This subchapter applies to any health benefit plan offered by
66 an association, professional employer organization, or other entity, including a plan issued under
67 the laws of another state, if the health benefit plan covers eligible employees of one or more
68 small employers and meets the requirements of subsection (a).”

69 Sec. 7. Fiscal impact statement.

70 The Council adopts the fiscal impact statement in the committee report as the fiscal
71 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
72 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

73 Sec. 8. Effective date.

74 This act shall take effect following approval by the Mayor (or in the event of veto by the
75 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
76 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
77 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
78 Columbia Register.

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