

HOUSE BILL REPORT

SHB 1291

As Reported by House Committee On:
Appropriations

Title: An act relating to health care for Pacific Islanders residing in Washington under a compact of free association.

Brief Description: Concerning health care for Pacific Islanders residing in Washington under a compact of free association.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Santos, Jinkins, Fey, Robinson, Fitzgibbon, Stanford, Ormsby and Riccelli).

Brief History:

Committee Activity:

Health Care and Wellness: 1/25/17, 2/8/17 [DP];

Appropriations: 2/20/17, 2/23/17 [DPS], 1/15/18, 1/18/18 [DP2S].

Brief Summary of Second Substitute Bill

- Creates a premium assistance program for Washington residents who are citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 17 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist, Cody, Fitzgibbon, Hansen, Hudgins, Jinkins, Kagi, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 14 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys, Calder, Condotta, Graves, Haler, Manweller, Schmick, Taylor, Vick, Volz and Wilcox.

Minority Report: Without recommendation. Signed by 1 member: Representative Harris.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Catrina Lucero (786-7192).

Background:

The Washington Healthplanfinder.

Under the federal Patient Protection and Affordable Care Act (ACA), each state must establish a health benefit exchange through which consumers may compare and purchase individual and small group coverage, access premium and cost-sharing subsidies, and apply for Medicaid coverage. Premium subsidies are available to individuals between 100 percent and 400 percent of the federal poverty level. Qualified health plans (QHPs) sold in an exchange must meet certain standardized actuarial values: Bronze (60 percent), Silver (70 percent), Gold (80 percent), and Platinum (90 percent).

Washington's health benefit exchange, the Washington Healthplanfinder, is a public-private partnership governed by a board consisting of members with expertise in the health care system and health care coverage.

On January 20, 2017, President Trump signed an executive order directing federal agencies to "minimize unwarranted economic and regulatory burdens of the ACA."

The Compact of Free Association.

Under the Compact of Free Association (COFA), citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau may live and work in the United States and serve in the United States Military. Citizens of COFA nations are also eligible for premium assistance through the health benefit exchanges established by the ACA. Citizens of COFA nations are, however, ineligible for Medicaid.

Health Impact Review.

The Washington State Board of Health (Board), in collaboration with the Governor's Interagency Council on Health Disparities, may complete health impact reviews on legislative proposals to evaluate the proposals' impact on health and health disparities. In 2016 the Board completed a health impact review of House Bill 2986 (2016), which created a premium assistance program for citizens of COFA nations. The Board determined that the program would improve access and outcomes for COFA citizens and decrease health disparities.

Summary of Second Substitute Bill:

The COFA Premium Assistance Program (Program) is established. Through the Program, the Health Care Authority (HCA) must, within funds appropriated for the specific purpose, pay the premiums associated with a QHP purchased by an eligible individual. A person is eligible for the Program if he or she:

- is a Washington resident;
- is a citizen of a COFA nation;
- enrolls in a Silver plan;
- has an income that is less than 133 percent of the federal poverty level; and

- is ineligible for a federal or state medical program.

A person is disqualified for the program if he or she:

- no longer meets the eligibility criteria;
- fails to comply with the Program requirements related to procedures or documentation;
- fails to notify the HCA of a change of address in a timely manner;
- withdraws his or her application or requests the termination of coverage; or
- commits fraud that results in an insurer rescinding the policy.

The HCA must establish:

- application, enrollment, and renewal processes;
- the QHPs that are eligible for reimbursement by the Program;
- procedural requirements for participation in the Program;
- open enrollment and special enrollment periods consistent with the enrollment periods of the Washington Healthplanfinder— the first open enrollment period must begin by November 1, 2018; and
- a comprehensive community education and outreach campaign that must begin no later than September 1, 2018.

The HCA must appoint an advisory committee (Committee) that must include insurers and representatives of communities of citizens of COFA nations. The Committee must advise the HCA in the development, implementation, and operation of the Program. The Committee may be dissolved after December 31, 2019. Members may be reimbursed for their travel expenses.

By December 31, 2019, the HCA must report to the Governor and the Legislature on the implementation of the Program. The report must include:

- the number of people participating in the program;
- the actual costs of the program compared to predicted costs;
- the results of the community education and outreach campaign; and
- the funding needed to continue the program through the end of the biennium.

Second Substitute Bill Compared to Substitute Bill:

The second substitute bill requires that materials provided through the outreach and education program are culturally and linguistically appropriate. It allows the Committee to be dissolved after December 31, 2019, and members to be reimbursed for their travel expenses.

Several dates including the start date for the community outreach and education campaign, the first enrollment period, and reporting requirements are delayed by one year. The date for the null and void clause is also updated.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) The COFA nationals work, pay taxes, and serve in the military but do not have access to health care. Children do better when their families are healthy. Many COFA nationals have suffered adverse health consequences as a result of nuclear testing that took place on the islands. Chronic diseases, like diabetes, and radiation-related illnesses are common among COFA nationals. It is often less expensive to treat these issues preventatively. The cost sharing provisions in the original bill should be included. This component is essential to the success of the Program. Even small costs can be barriers for low-income people in accessing health care. The people eligible for this program are very low income. They have jobs that do not provide health care or may be too sick to work. The uninsured rate is higher in COFA communities than in the general population. Oregon has a similar program that has been very successful.

(Opposed) None.

Persons Testifying: Litonya Lester, Children's Alliance; Thompson Keju; Bernadette Creaven, Healthcare for the Homeless; Jiji Jally; David Anitok and Loyd Henion, Compact of Free Association Alliance National Network; Robin Narruhn, Pacific Islander Health Board; and Michael Itti, Commission on Asian Pacific American Affairs.

Persons Signed In To Testify But Not Testifying: None.