

# DRAFT

## SUMMARY

Expands COFA Premium Assistance Program to include lawful permanent residents of United States who are barred by federal law from receiving medical assistance for five years after lawful entry into United States.

Requires Medicaid Advisory Committee to work with Department of Consumer and Business Services and Oregon Health Authority to determine best approach for integrating COFA Premium Assistance Program into Oregon Integrated and Coordinated Health Care Delivery System and report determination, findings and recommendations, if any, to interim committees of Legislative Assembly related to health.

## A BILL FOR AN ACT

Relating to health insurance premium assistance for noncitizens lawfully residing in the United States; creating new provisions; and amending section 3, chapter 94, Oregon Laws 2016.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** Section 3, chapter 94, Oregon Laws 2016, is amended to read:

**Sec. 3.** (1) An individual is eligible for the COFA Premium Assistance Program if the individual:

(a) Is a resident **of Oregon**;

(b)(A) Is a COFA citizen; **or**

**(B) Is a lawful permanent resident of the United States who would qualify for medical assistance but for 8 U.S.C. 1613 barring qualified aliens from receiving federal means-tested public benefits for a period of five years after entering the United States lawfully;**

(c) Enrolls in a qualified health plan;

(d) Has income that is less than 138 percent of the federal poverty

1 guidelines; and

2 (e) Qualifies for an advance premium tax credit toward the cost of the  
3 individual's qualified health plan.

4 (2) Within the limits of moneys in the COFA Premium Assistance Pro-  
5 gram Fund, the Department of Consumer and Business Services shall pay the  
6 premium cost for a qualified health plan and the out-of-pocket costs for the  
7 coverage provided by the plan for an individual who meets the criteria in  
8 subsection (1) of this section.

9 (3) The department may disenroll a participant from the program if the  
10 participant:

11 (a) No longer meets the eligibility criteria specified in subsection (1) of  
12 this section;

13 (b) Fails, without good cause, to comply with procedural or documenta-  
14 tion requirements established by the department in accordance with sub-  
15 section (4) of this section;

16 (c) Fails, without good cause, to notify the department of a change of  
17 address in a timely manner;

18 (d) Withdraws the participant's application or requests termination of  
19 coverage; or

20 (e) Performs an act, practice or omission that constitutes fraud and, as  
21 a result, an insurer rescinds the participant's policy for the qualified health  
22 plan.

23 (4) The department shall establish:

24 (a) Application, enrollment and renewal processes for the COFA Premium  
25 Assistance Program;

26 (b) The qualified health plans that are eligible for reimbursement under  
27 the program;

28 (c) Procedural requirements for continued participation in the program,  
29 including participant documentation requirements that are necessary for the  
30 department to administer the program;

31 (d) Open enrollment periods and special enrollment periods consistent

1 with the enrollment periods for the health insurance exchange; and

2 (e) A comprehensive community education and outreach campaign, work-  
3 ing with stakeholder and community organizations, to facilitate applications  
4 for, and enrollment in, the program.

5 **SECTION 2. (1) The Department of Consumer and Business Services**  
6 **shall appoint an advisory committee that includes lawful permanent**  
7 **residents and their representatives and other stakeholders. The advi-**  
8 **sory committee shall advise the department in developing recommen-**  
9 **dations for an outreach strategy to enroll lawful permanent residents**  
10 **in the COFA Premium Assistance Program.**

11 **(2) Members of the advisory committee are not entitled to com-**  
12 **pensation or reimbursement of their expenses and serve as volunteers**  
13 **on the advisory committee.**

14 **SECTION 3. No later than December 31, 2018, the Department of**  
15 **Consumer and Business Services shall report to the interim commit-**  
16 **tees of the Legislative Assembly related to health on the implementa-**  
17 **tion of the amendments to section 3, chapter 94, Oregon Laws 2016,**  
18 **by section 1 of this 2017 Act, including, but not limited to:**

19 **(1) The number of lawful permanent residents participating in the**  
20 **COFA Premium Assistance Program;**

21 **(2) The actual costs of the program compared to predicted costs;**

22 **(3) The implementation of the outreach strategy recommended by**  
23 **the advisory committee described in section 2 of this 2017 Act;**

24 **(4) The amount remaining in the COFA Premium Assistance Pro-**  
25 **gram Fund; and**

26 **(5) The amount of moneys needed to continue the program through**  
27 **the end of the 2017-2019 biennium.**

28 **SECTION 4. (1) The Medicaid Advisory Committee established by**  
29 **ORS 414.211 shall work with the Department of Consumer and Business**  
30 **Services and the Oregon Health Authority to determine the best ap-**  
31 **proach to integrating the COFA Premium Assistance Program into the**

**Oregon Integrated and Coordinated Health Care Delivery System established by ORS 414.620.**

**(2) The committee shall consider:**

**(a) The implications of allowing participants in the COFA Premium Assistance Program to qualify for the state medical assistance program; and**

**(b) Whether federal financial participation in the costs of providing medical assistance to participants in the COFA Premium Assistance Program may be available.**

**(3) The committee shall report its determination, findings and recommendations for legislative changes, if any, to the interim committees of the Legislative Assembly related to health no later than the meetings of the interim committees in the last calendar quarter of 2018.**

**SECTION 5. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Consumer and Business Services, for the biennium beginning July 1, 2017, out of the General Fund, the amount of \$\_\_\_\_\_, which shall be deposited into the COFA Premium Assistance Program Fund and may be expended for implementing the amendments to section 3, chapter 94, Oregon Laws 2016, by section 1 of this 2017 Act.**

**SECTION 6. Sections 2 to 4 of this 2017 Act are repealed on January 2, 2019.**