

AMENDMENTS TO HOUSE BILL NO. 489

Sponsor: SENATOR HUGHES

Printer's No. 2983

1 Amend Title, page 1, lines 23 and 24, by striking out all of
2 line 23 and "SAFETY AUTOMATION FUND" in line 24 and inserting

3 Reserve Fund for Pennsylvanians (MCAP)

4 Amend Sec. 1, page 2, line 19, by striking out "712(C)" and
5 inserting

6 712(c) and (d)

7 Amend Sec. 1 (Sec. 712), page 6, by inserting between lines
8 22 and 23

9 (d) Assessments.--

10 (1) For calendar year 2003 and for each year thereafter,
11 the fund shall be funded by an assessment on each
12 participating health care provider. Assessments shall be
13 levied by the department on or after January 1 of each year.
14 The assessment shall be based on the prevailing primary
15 premium for each participating health care provider and
16 shall, in the aggregate, produce an amount sufficient to do
17 all of the following:

18 (i) Reimburse the fund for the payment of reported
19 claims which became final during the preceding claims
20 period.

21 (ii) Pay expenses of the fund incurred during the
22 preceding claims period.

23 (iii) Pay principal and interest on moneys
24 transferred into the fund in accordance with section
25 713(c).

26 (iv) Provide a reserve that shall be 10% of the sum
27 of subparagraphs (i), (ii) and (iii).

28 (2) The department shall notify all basic insurance
29 coverage insurers and self-insured participating health care
30 providers of the assessment by November 1 for the succeeding
31 calendar year.

32 (3) Any appeal of the assessment shall be filed with the
33 department.

34 (4) For calendar year beginning January 1, 2008, the
35 department may delay or suspend the collection of assessments
36 until the requirements under section 752(b) are met.

1 Amend Sec. 2, page 8, line 19, by striking out "SUBCHAPTERS"
2 and inserting

3 a subchapter

4 Amend Sec. 2, page 8, lines 20 through 30; page 9, lines 1
5 through 24, by striking out all of said lines on said pages and
6 inserting

7 SUBCHAPTER E
8 MEDICAL CARE AVAILABILITY FOR PENNSYLVANIANS
9 (MCAP) RESERVE FUND

10 Section 751. Establishment.

11 There is established within the State Treasury a special fund
12 to be known as the Medical Care Availability for Pennsylvanians
13 (MCAP) Reserve Fund.

14 Section 752. Allocation.

15 (a) Annual allocation.--Money in the Medical Care
16 Availability for Pennsylvanians (MCAP) Reserve Fund shall be
17 allocated annually as follows:

18 (1) Fifty percent of the total amount in the Medical
19 Care Availability for Pennsylvanians (MCAP) Reserve Fund
20 shall remain in the Medical Care Availability for
21 Pennsylvanians (MCAP) Reserve Fund for the sole purpose of
22 reducing the unfunded liability of the fund.

23 (2) Fifty percent of the total amount in the Medical
24 Care Availability for Pennsylvanians (MCAP) Reserve Fund
25 shall be dedicated to funding the program established under
26 subsection (b).

27 (b) Enactment of legislation.--No money in the Medical Care
28 Availability for Pennsylvanians (MCAP) Reserve Fund shall be
29 used until legislation is enacted that provides both assistance
30 to certain small business employers in covering their low wage
31 uninsured and access to affordable health insurance coverage for
32 uninsured low-income adult Pennsylvanians that shall include all
33 of the following:

34 (1) Subsidies and tax credits for small business health
35 savings accounts.

36 (2) Subsidies and tax credits for incentives for disease
37 management programs.

38 (3) Subsidies and tax credits for wellness and healthy
39 living programs.

40 (4) Funding for low-income health care access to
41 community-based health providers.

42 (5) Collection and disclosure of health care costs by
43 various providers and insurers throughout the health care
44 continuum.

45 (6) Implementation of cost containment measures that
46 expand access while maintaining quality and patient safety.

47 Amend Sec. 4 (Sec. 1112), page 17, lines 18 through 22, by
48 striking out all of said lines and inserting

49 (c.1) Transfers to the Medical Care Availability for
50 Pennsylvanians (MCAP) Reserve Fund.--If the Secretary of the

1 Budget makes a transfer from the account under subsection (c),
2 the remaining funds in the account shall be transferred to the
3 Medical Care Availability for Pennsylvanians (MCAP) Reserve
4 Fund. If the Secretary of the Budget does not make a transfer
5 from the account under subsection (c), all of the funds in the
6 account shall be transferred to the Medical Care Availability
7 for Pennsylvanians (MCAP) Reserve Fund.

8 Amend Bill, page 18, by inserting between lines 6 and 7

9 Section 6.1. If the requirements of section 752(b) of the
10 act are not satisfied by June 30, 2008, sections 711, 712(d),
11 (e), (g), (h) and (i) of the act shall expire June 30, 2008. If
12 these sections expire on June 30, 2008, the fund shall continue
13 to be responsible for payment of claims against participating
14 health care providers as of June 30, 2008, up to the fund
15 liability limits as of June 30, 2008, to the extent the fund
16 would have been responsible for payment of such claims if
17 sections 711, 712(d), (e), (g), (h) and (i) of the act did not
18 expire June 30, 2008.

19 Amend Sec. 6.1, page 18, line 7, by striking out "6.1" and
20 inserting

21 6.2

22 Amend Sec. 6.2, page 18, line 13, by striking out "6.2" and
23 inserting

24 6.3

25 Amend Sec. 6.2, page 18, line 22, by striking out "6.1" and
26 inserting

27 6.2