
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1030 Session of
2021

INTRODUCED BY A. DAVIS, PISCIOTTANO, FREEMAN, SANCHEZ, HILL-
EVANS, BRADFORD, LEE, SCHLOSSBERG, FRANKEL, D. WILLIAMS,
DeLUCA, McCLINTON, ROZZI, DEASY, KINSEY, T. DAVIS, DALEY,
ZABEL, WARREN, N. NELSON, BURGOS, McNEILL, INNAMORATO,
STURLA, SIMS, HERRIN, KRUEGER AND CIRESI, MAY 5, 2021

REFERRED TO COMMITTEE ON INSURANCE, MAY 5, 2021

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated
2 Statutes, providing for easy enrollment program.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Title 40 of the Pennsylvania Consolidated
6 Statutes is amended by adding a chapter to read:

7 CHAPTER 94

8 EASY ENROLLMENT PROGRAM

9 Sec.

10 9401. Definitions.

11 9402. Program establishment.

12 9403. Program structure.

13 9404. Reports.

14 § 9401. Definitions.

15 The following words and phrases when used in this chapter

16 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Individual income tax." The tax imposed under Article III
3 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax
4 Reform Code of 1971.

5 "No-cost or low-cost health coverage." As follows:

6 (1) A health insurance policy offered by an insurer
7 through the exchange for which a premium tax credit or cost-
8 sharing subsidy may be available.

9 (2) The Commonwealth's medical assistance program
10 established under the act of June 13, 1967 (P.L.31, No.21),
11 known as the Human Services Code.

12 (3) The Children's Health Insurance Program established
13 under Article XXIII-A of the act of May 17, 1921 (P.L.682,
14 No.284), known as The Insurance Company Law of 1921.

15 "Program." The Pennsylvania Health Insurance Easy Enrollment
16 Program established under section 9402 (relating to program
17 establishment).

18 "Uninsured individual." An individual who does not have
19 minimum essential coverage as defined in section 5000A(f) of the
20 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1
21 et seq.).

22 § 9402. Program establishment.

23 (a) Establishment.--The Pennsylvania Health Insurance Easy
24 Enrollment Program is established and shall be administered
25 jointly by the exchange authority and the Department of Revenue
26 as provided under this chapter.

27 (b) Implementation.--The exchange authority and the
28 Department of Revenue and other affected government entities
29 shall develop and implement systems, policies and practices that
30 encourage, facilitate, simplify and streamline the transmission

1 of requests and determinations of eligibility or potential
2 eligibility for and enrollment in no-cost or low-cost health
3 coverage to achieve the purposes of the program.

4 § 9403. Program structure.

5 (a) Department of Revenue duties.--The Department of Revenue
6 shall:

7 (1) Provide a space on the form used for State
8 individual income tax returns where an individual may
9 designate if the individual, the individual's spouse or any
10 dependents of the individual are not covered by health
11 insurance. The following shall apply:

12 (i) If an individual indicates that the individual,
13 the individual's spouse or any dependents of the
14 individual lack health insurance, the individual may
15 request and consent to evaluation of whether the
16 individual, the individual's spouse or dependents are
17 eligible or potentially eligible for no-cost or low-cost
18 health coverage.

19 (ii) The individual requesting an evaluation may be
20 asked for the uninsured individual's name, date of birth
21 and adjusted gross income as provided on the individual's
22 Federal income tax return. If an individual makes the
23 request under this paragraph, the Department of Revenue
24 shall transmit, as soon as possible to the exchange
25 authority, any information the exchange authority may
26 require to determine the uninsured individual's
27 eligibility or potential eligibility for no-cost or low-
28 cost health coverage.

29 (iii) Information transmitted from the Department of
30 Revenue to the exchange authority under this paragraph

1 shall be subject to section 9307 (relating to
2 confidentiality and disclosure). The information
3 transmitted by the Department of Revenue shall constitute
4 an application for health insurance coverage. Unless
5 otherwise contradicted by other information on record,
6 information on this application consistent with the tax
7 filing shall be considered verified upon receipt.

8 (2) Consult with the exchange authority in developing
9 language required under paragraph (1) to be included on the
10 individual income tax return form.

11 (3) In consultation with the exchange authority, educate
12 tax filers and tax professionals on the program through
13 measures that shall include information in the instructions
14 for the individual income tax return form.

15 (b) Duties of exchange authority.--The exchange authority
16 shall:

17 (1) Determine eligibility or potential eligibility for
18 no-cost or low-cost health coverage as soon as possible after
19 receiving the information transmitted by the Department of
20 Revenue under subsection (a). The following shall apply:

21 (i) To the maximum extent possible, the exchange
22 authority's determination of an uninsured individual's
23 eligibility or potential eligibility for no-cost or low-
24 cost health coverage shall utilize available information,
25 including information from third-party data sources and
26 data described in section 1413 of the Patient Protection
27 and Affordable Care Act (Public Law 111-148, 124 Stat.
28 119).

29 (ii) The exchange authority may contact the
30 uninsured individual if the exchange authority requires

1 additional information to determine the individual's
2 eligibility or potential eligibility for no-cost or low-
3 cost health coverage.

4 (iii) If the exchange authority determines that an
5 individual is eligible or potentially eligible for no-
6 cost or low-cost health coverage that is not made
7 available through the exchange, the exchange shall
8 transmit the uninsured individual's information to the
9 Department of Human Services, which shall take action to
10 enroll the individual in such coverage.

11 (2) Communicate to the uninsured individual the results
12 of any eligibility determination. If the individual is
13 determined eligible or potentially eligible for no-cost or
14 low-cost health coverage but is ineligible for coverage
15 through medical assistance or the Children's Health Insurance
16 Program, the individual shall have a special enrollment
17 period to select a health insurance policy through the
18 exchange authority. The special enrollment period under this
19 paragraph shall last for 60 days from the date the
20 eligibility determination is mailed to the uninsured
21 individual. Information about the program and the special
22 enrollment period described in this paragraph shall be
23 communicated by the exchange authority to the general public.

24 § 9404. Reports.

25 (a) Information.--The exchange authority shall compile
26 information by coverage type on the number of individuals who
27 are determined by the program to be eligible or potentially
28 eligible for, and the number of individuals that enroll in, no-
29 cost or low-cost health coverage.

30 (b) Reports.--The exchange authority shall submit a report

1 two years after the program has been in effect and annually
2 thereafter containing the above information and any suggested
3 legislative improvements to the program. The report shall be
4 available on the exchange authority's publicly accessible
5 Internet website and a copy of the report shall be
6 electronically transmitted to:

7 (1) The chairperson and minority chairperson of the
8 Banking and Insurance Committee of the Senate.

9 (2) The chairperson and minority chairperson of the
10 Insurance Committee of the House of Representatives.

11 Section 2. The Department of Revenue, in consultation with
12 the exchange authority, may delay implementation of this act
13 until the start of the second taxable year after the passage of
14 this act as may be necessary and appropriate to effectuate the
15 program. The Department of Revenue shall transmit notice of any
16 delay under this section to the Legislative Reference Bureau for
17 publication in the Pennsylvania Bulletin.

18 Section 3. This act shall take effect immediately.