

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1037

By: Representative Pilkington

For An Act To Be Entitled

AN ACT TO ESTABLISH THE RIGHT TO START PILOT PROGRAM FOR HEALTHCARE PORTABILITY; TO ENCOURAGE ENTREPRENEUR HEALTH INSURANCE PORTABILITY AND TAX SUPPORT; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE RIGHT TO START PILOT PROGRAM FOR HEALTHCARE PORTABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Title. This act shall be known and may be cited as the "Right to Start Pilot Program for Healthcare Portability Act".

SECTION 2. Arkansas Code Title 23, Chapter 61, Subchapter 1, is amended to add an additional section to read as follows:

23-61-118. Right to Start Pilot Program for Healthcare Portability – Definition.

(a) The Insurance Commissioner shall develop, implement, and administer a program to be known as the "Right to Start Pilot Program for Healthcare Portability".

(b) The purpose of the program is to encourage and assist entrepreneurs by providing health insurance portability and tax support associated with the formation of a small business in this state.

(c) As used in this section, "entrepreneur" means an individual starting a small business who meets the eligibility criteria established by the commissioner for the program.



(d) The commissioner shall promulgate rules to establish criteria for the review and approval of applications for the program.

(e) The commissioner shall ensure that the program will provide access to statewide group health insurance benefits and tax support for an entrepreneur.

(f) An entrepreneur may apply to the commissioner for available health insurance benefits and tax support, using the form prescribed by the commissioner, before obtaining health insurance for the small business for which the entrepreneur seeks assistance the program under this section.

(g)(1) Health insurance benefits and tax support under the program shall be provided in the manner determined by the commissioner.

(2) Assistance from the commissioner for health insurance benefits and tax support under the program shall be limited to the first three (3) years of the formation of the small business.

(h)(1) An entrepreneur participating in the program shall file annual reports with the commissioner.

(2) The annual reports described in subdivision (h)(1) of this section shall include without limitation:

(A) The current status of the small business or the date the small business ceased operations;

(B) The number of employees employed by the small business participating in the program;

(C) The number and amount of claims filed by employees of the small business participating in the program; and

(D) The economic impact of the tax support provided to the small business by the commissioner.

(i) The Secretary of State shall provide notice of the program to an entrepreneur filing for the formation of a small business in this state.

SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. Rules.

(a) The Insurance Commissioner shall promulgate rules necessary to implement this act.

(b)(1) When adopting the initial rules to implement this act, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(A) On or before January 1, 2024; or

(B) If approval under § 10-3-309 has not occurred by January 1, 2024, as soon as practicable after approval under § 10-3-309.

(2) The commissioner shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2024, so that the Legislative Council may consider the rule for approval before January 1, 2024.