

194A.099 Division of Health Benefit Exchange to administer the Public Protection and Affordable Care Act of 2010 -- Powers and duties -- Administrative regulations -- Office not to establish procedures and rules that conflict with the Public Protection and Affordable Care Act.

- (1) The Division of Health Benefit Exchange shall administer the provisions of the Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148.
- (2) The Division of Health Benefit Exchange shall:
 - (a) Facilitate enrollment in health coverage and the purchase and sale of qualified health plans in the individual market;
 - (b) Facilitate the ability of eligible individuals to receive premium tax credits and cost-sharing reductions and enable eligible small businesses to receive tax credits, in compliance with all applicable federal and state laws and regulations;
 - (c) Oversee the consumer assistance programs of navigators, in-person assisters, certified application counselors, and insurance agents as appropriate;
 - (d) At a minimum, carry out the functions and responsibilities required pursuant to 42 U.S.C. sec. 18031 to implement and comply with federal regulations in accordance with 42 U.S.C. sec. 18041; and
 - (e) Regularly consult with stakeholders in accordance with 45 C.F.R. sec. 155.130.
- (3) The office may enter into contracts and other agreements with appropriate entities, including but not limited to federal, state, and local agencies, as permitted under 45 C.F.R. sec. 155.110, to the extent necessary to carry out the duties and responsibilities of the office, provided that the agreements incorporate adequate protections with respect to the confidentiality of any information to be shared.
- (4) The office shall pursue all available federal funding for the further development and operation of the Division of Health Benefit Exchange.
- (5) The Office of Health Data and Analytics shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section.
- (6) The office shall not establish procedures and rules that conflict with or prevent the application of the Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148.

Effective: June 27, 2019

History: Created 2019 Ky. Acts ch. 90, sec. 3, effective June 27, 2019.