

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

Except as provided in KRS 304.17A-099:

- (1) The Division of Health Benefit Exchange within the Office of Data Analytics 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;
 - (e) Regularly consult with stakeholders in accordance with 45 C.F.R. sec. 155.130; and
 - (f) Comply with KRS 304.17-182; and
- (3) The Office of Data Analytics:
 - (a) 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 if the agreements incorporate adequate protections with respect to the confidentiality of any information to be shared;
 - (b) Shall pursue all available federal funding for the further development and operation of the Division of Health Benefit Exchange;
 - (c) Shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section; and
 - (d) 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: January 1, 2025

History: Amended 2024 Ky. Acts ch. 120, sec. 3, effective April 9, 2024; and ch. 207, sec. 8, effective January 1, 2025. -- Created 2019 Ky. Acts ch. 90, sec. 3, effective June 27, 2019.

Legislative Research Commission Note (1/1/2025). This statute was amended by 2024 Ky. Acts chs. 120 and 207, which do not appear to be in conflict and have been

codified together.

Legislative Research Commission Note (1/1/2025). 2024 Ky. Acts ch. 207, sec. 16, provides that the amendments to this statute in that Act shall apply to plans issued or renewed on or after January 1, 2025.