

SENATE BILL No. 495

By Committee on Federal and State Affairs

3-11

1 AN ACT concerning insurance; reinstating the Kansas uninsurable health
2 insurance plan act and renaming such plan the Kansas guaranteed
3 coverage pool act contingent upon the patient protection and affordable
4 care act being held invalid or unconstitutional; reporting by the
5 commissioner of insurance to the legislature; amending K.S.A. 40-2117
6 and repealing the existing section.
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8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) The legislature of the state of Kansas recognizes
10 the importance and necessity of providing and regulating the system
11 whereby Kansans obtain health insurance coverage. Further, the legislature
12 of the state of Kansas declares as a matter of policy that it recognizes the
13 right of all Kansans to maintain their private health insurance coverage if
14 the patient protection and affordable care act is held to be invalid or
15 unconstitutional, if they so desire.

16 (b) The commissioner of insurance is hereby directed to take all
17 actions necessary and appropriate to reinstate the Kansas uninsurable
18 health insurance plan act and implement the Kansas guaranteed coverage
19 pool act.

20 (c) On or before the first day of the regular legislative session
21 following the effective date of this act, the commissioner of insurance shall
22 report to the house standing committee on insurance and the senate
23 standing committee on financial institutions and insurance on the progress
24 made in reinstating the uninsurable health plan act and implementing the
25 Kansas guaranteed coverage pool act, identifying any issues that have been
26 discovered and requesting any necessary legislative action.

27 Sec. 2. K.S.A. 40-2117 is hereby amended to read as follows: 40-
28 2117. ~~This act shall be known and may be cited as the Kansas uninsurable~~
29 ~~health insurance plan act~~ K.S.A. 40-2117 through 40-2131, and
30 ~~amendments thereto, shall be known and may be cited as the Kansas~~
31 ~~guaranteed coverage pool act.~~

32 Sec. 3. On the date of the issuance by the United States supreme court
33 of an opinion in the case of California v. Texas, case no. 19-840, that holds
34 the patient protection and affordable care act invalid or unconstitutional,
35 K.S.A. 40-2117 is hereby repealed.

36 Sec. 4. This act shall take effect and be in force from and after the

- 1 date of the issuance by the United States supreme court of an opinion in
- 2 the case of California v. Texas, case no. 19-840, that holds the patient
- 3 protection and affordable care act invalid or unconstitutional and its
- 4 publication in the statute book.