

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 144
PROPOSED COMMITTEE SUBSTITUTE S144-PCS45108-TR-4

Short Title: Modify Intent/Gross Premiums Tax/PHPs.

(Public)

Sponsors:

Referred to:

February 27, 2019

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A BILL TO BE ENTITLED

AN ACT TO MODIFY THE INTENDED DATE OF ENACTMENT OF LEGISLATION
APPLYING THE GROSS PREMIUMS TAX TO MEDICAID CAPITATION PAYMENTS
TO PREPAID HEALTH PLANS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 8 of S.L. 2018-49 reads as rewritten:

"**SECTION 8.(a)** It is the intent of the General Assembly to enact legislation, no later than ~~March 15, 2019, June 30, 2019,~~ that will ensure that the premium tax levied under G.S. 105-228.5 applies to capitation payments received by Prepaid Health Plans, as defined in G.S. 58-93-2, in the same manner in which the tax is applied to the gross premiums from business done in this State for all other health care plans and contracts of insurance provided by insurers or health maintenance organizations subject to the tax.

"**SECTION 8.(b)** Until March 15, 2019, or such earlier date as the legislation described in subsection (a) of this section is enacted, the Department of Health and Human Services shall plan for the implementation of Medicaid transformation with the assumption that such legislation will be enacted. If the General Assembly has not ratified the legislation described in subsection (a) of this section by ~~March 15, 2019, June 30, 2019,~~ then the Department of Health and Human Services shall plan for the implementation of Medicaid transformation with the assumption that such legislation will be not enacted, and the Department shall correct all actions taken in reliance on the previous assumption, including the reissuance of the requests for proposals for capitated PHP contracts, if necessary.

...."

SECTION 2. This act is effective March 15, 2019.

