CCHF Model Legislation

Government-Established ACA Health Insurance Exchanges Prohibited

A bill for an act relating to insurance; prohibiting the creation, operation, or existence of a health insurance exchange in the state of _______________; enacting the ____________ (state) Healthcare Marketplace Preservation Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF __:

Section 1. HEALTH EXCHANGE PROHIBITED.
Subdivision 1. No American Health Benefit Exchange within the meaning of that term in the federal Affordable Care Act (Public Laws 111-148 and 111-152) shall be created, operate, or exist in this state.

Subdivision 2. No funding, whether federal, state, or private shall be used by the State of ________________ to create, operate or maintain an American Health Benefit Exchange within the meaning of that term in the federal Affordable Care Act (Public Laws 111-148 and 111-152).

Subdivision 3. No person, employer, company, government agency, or organization may transfer or share private data, public data, non-public data, confidential data, medical records data, insurance claims data, identifiable data, individually-identifiable health information, tax data or any other data on persons or employers with an American Health Benefit Exchange within the meaning of that term in the federal Affordable Care Act (Public Laws 111-148 and 111-152) or with any entity under contract with or connected with an American Health Benefit Exchange.

Subdivision 4. Citation. This section shall be known as and may be cited as the "__________ (state) Healthcare Marketplace Preservation Act."

EFFECTIVE DATE. This section is effective the day following final enactment.