

**SENATE BILL No. 309**

By Committee on Ways and Means

5-20

1 AN ACT concerning health insurance; establishing certain fees on policies  
2 sold on the federally facilitated health insurance exchange; creating the  
3 medical assistance fee fund.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Beginning January 1, 2015, each health insurer that  
7 participates in the health insurance exchange administered by the federal  
8 government within this state shall pay to the commissioner of insurance an  
9 annual fee in an amount equal to 3.5% of the monthly premium for each  
10 policy sold, delivered or issued for delivery on such health insurance  
11 exchange.

12 (b) There is hereby created in the state treasury the medical assistance  
13 fee fund. The commissioner of insurance shall remit to the state treasurer,  
14 in accordance with the provisions of K.S.A. 75-4215, and amendments  
15 thereto, all moneys collected or received by the commissioner from health  
16 insurers for the fees specified in subsection (a). Upon receipt of each such  
17 remittance, the state treasurer shall deposit the entire amount in the state  
18 treasury to the credit of the medical assistance fee fund.

19 (c) Moneys in the medical assistance fee fund shall be expended for  
20 the purpose of medicaid medical assistance payments. All expenditures  
21 from the medical assistance fee fund shall be made in accordance with  
22 appropriation acts upon warrants of the director of accounts and reports  
23 issued pursuant to vouchers approved by the secretary of health and  
24 environment or the secretary's designee.

25 (d) On or before the 10<sup>th</sup> of each month, the director of accounts and  
26 reports shall transfer from the state general fund to the medical assistance  
27 fee fund interest earnings based on:

28 (1) The average daily balance of moneys in the medical programs fee  
29 fund for the preceding month; and

30 (2) the net earnings rate of the pooled money investment portfolio for  
31 the preceding month.

32 Sec. 2. This act shall take effect and be in force from and after its  
33 publication in the statute book.