

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1037

5 By: Representative Pilkington
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE RIGHT TO START PILOT PROGRAM
9 FOR HEALTHCARE PORTABILITY; TO ENCOURAGE ENTREPRENEUR
10 HEALTH INSURANCE PORTABILITY AND TAX SUPPORT; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 TO ESTABLISH THE RIGHT TO START PILOT
15 PROGRAM FOR HEALTHCARE PORTABILITY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Title. This act shall be known and may be
22 cited as the "Right to Start Pilot Program for Healthcare Portability Act".
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24 SECTION 2. Arkansas Code Title 23, Chapter 61, Subchapter 1, is
25 amended to add an additional section to read as follows:

26 23-61-118. Right to Start Pilot Program for Healthcare Portability -
27 Definition.

28 (a) The Insurance Commissioner shall develop, implement, and
29 administer a program to be known as the "Right to Start Pilot Program for
30 Healthcare Portability".

31 (b) The purpose of the program is to encourage and assist
32 entrepreneurs by providing health insurance portability and tax support
33 associated with the formation of a small business in this state.

34 (c) As used in this section, "entrepreneur" means an individual
35 starting a small business who meets the eligibility criteria established by
36 the commissioner for the program.



1 (d) The commissioner shall promulgate rules to establish criteria for
2 the review and approval of applications for the program.

3 (e) The commissioner shall ensure that the program will provide access
4 to statewide group health insurance benefits and tax support for an
5 entrepreneur.

6 (f) An entrepreneur may apply to the commissioner for available health
7 insurance benefits and tax support, using the form prescribed by the
8 commissioner, before obtaining health insurance for the small business for
9 which the entrepreneur seeks assistance the program under this section.

10 (g)(1) Health insurance benefits and tax support under the program
11 shall be provided in the manner determined by the commissioner.

12 (2) Assistance from the commissioner for health insurance
13 benefits and tax support under the program shall be limited to the first
14 three (3) years of the formation of the small business.

15 (h)(1) An entrepreneur participating in the program shall file annual
16 reports with the commissioner.

17 (2) The annual reports described in subdivision (h)(1) of this
18 section shall include without limitation:

19 (A) The current status of the small business or the date
20 the small business ceased operations;

21 (B) The number of employees employed by the small business
22 participating in the program;

23 (C) The number and amount of claims filed by employees of
24 the small business participating in the program; and

25 (D) The economic impact of the tax support provided to the
26 small business by the commissioner.

27 (i) The Secretary of State shall provide notice of the program to an
28 entrepreneur filing for the formation of a small business in this state.

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30 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. Rules.

31 (a) The Insurance Commissioner shall promulgate rules necessary to
32 implement this act.

33 (b)(1) When adopting the initial rules to implement this act, the
34 final rule shall be filed with the Secretary of State for adoption under §
35 25-15-204(f):

36 (A) On or before January 1, 2024; or

1 (B) If approval under § 10-3-309 has not occurred by
2 January 1, 2024, as soon as practicable after approval under § 10-3-309.

3 (2) The commissioner shall file the proposed rule with the
4 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,
5 2024, so that the Legislative Council may consider the rule for approval
6 before January 1, 2024.

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