

**SENATE . . . . . No. 289**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Katherine M. Clark***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regarding the SHINE health insurance counseling program .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Christopher G. Fallon</i>	<i>33rd Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>

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By Ms. Clark, a petition (accompanied by bill, Senate, No. 289) of Katherine M. Clark, Jason M. Lewis, Christopher G. Fallon, Bradley H. Jones, Jr. and other members of the General Court for legislation to regard the SHINE health insurance counseling program. Elder Affairs.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Thirteen**

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An Act regarding the SHINE health insurance counseling program .

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 19A, as appearing in the 2010 Official Edition, is hereby amended by inserting  
2 after section 40 the following section:-

3 Section 41. The Executive Office of Elder Affairs shall assess annually a fee on a health  
4 insurance plan for each person enrolled in a health insurance plan as of December 31 of the  
5 previous year under a Medicare program that serves Medicare eligible beneficiaries within the  
6 Commonwealth, on a health insurance plan for each enrollee under a Medicare supplement  
7 contract, or a Medicare Advantage contract, or on a MassHealth plan for dually eligibles, as of  
8 December 31 of the previous year, to offset the cost of counseling Medicare and/or MassHealth  
9 eligible beneficiaries on their health insurance options in the Commonwealth of Massachusetts.

10 All fees collected pursuant to this section shall be deposited into a State SHINE Fund for  
11 the implementation of the program known as the Serving the Health Information Needs of  
12 Elders, which fund shall be administered by the Executive Office of Elder Affairs. The  
13 Secretary may use up to 7 percent of the fee collected pursuant to this section for the  
14 administration, assessment, and collection of that fee. The fee imposed by this section shall be  
15 considered an administrative expense by health insurance plans, and shall not be passed on to  
16 enrollees in said plans.

17 The Executive Office of Elder Affairs, in consultation with the Division of Health Care  
18 Finance and Policy, and the Division of Insurance, shall determine annually the fee to be  
19 assessed on health plans covered under this section. The fee shall be sufficient to cover roughly  
20 25 percent of the annual operating budget of the SHINE program, which budget shall increase

21 annually by the percentage increase in health insurance counseling sessions provided in the most  
22 recently completed fiscal year compared to sessions completed in the year prior to the most  
23 recent fiscal year.

24           There shall be established by the office of the State Treasurer a "SHINE Fund"  
25 administered by the Executive Office of Elder Affairs for the purpose of collecting fee  
26 assessments described in Section 1, and for the sole purpose of funding the SHINE counseling  
27 program.

28           The Executive Office of Elder Affairs shall submit by December 31st of each year to the  
29 House and Senate Committees on Ways and Means a financial report detailing the total fees  
30 collected through this section by health plan for the most recently completed fiscal year, as well  
31 as the counseling sessions conducted by each SHINE site in the program, and other financial  
32 information as requested annually by said Committees.