



VERMONT LEGISLATIVE  
**Joint Fiscal Office**

1 Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • <https://jfo.vermont.gov>

## Fiscal Note

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Nolan Langweil, Principal Fiscal Analyst

### **S.154 – An act relating to health insurance coverage for biomarker testing**

As recommended by the Senate Committee on Health and Welfare Draft 2.1<sup>1</sup>

#### **Bill Summary**

The bill would require the Department of Financial Regulation (DFR) and the Agency of Human Services (AHS) to analyze the costs associated with requiring health insurance coverage and Medicaid coverage, respectively, for biomarker testing for the purpose of diagnosis, treatment, appropriate management, and ongoing monitoring of a patient's disease or condition when the test is supported by medical and scientific evidence.

In addition to reporting back to the committees of jurisdictions on the impacts to health insurance premiums, Medicaid costs, and the State Employees' Health Insurance Benefit Plan, it would also require DFR to report on the State's financial obligations for defrayal of premium increases for qualified health plans (QHPs), pursuant to 45 C.F.R. § 155.70 which requires states to cover any additional state-required benefits (on or after January 1, 2012) to QHPs beyond what was established as the State's Essential Health Benefit Benchmark plan.<sup>2</sup>

There are no appropriations in the bill.

#### **Fiscal Impact**

The bill would require both AHS and DFR to do analyses that would require actuaries. The analyses required of AHS could be done under their current actuarial plan design contract, but DFR would be unable to utilize its billback authority to pay for these actuarial analyses. Therefore, an appropriation to DFR may be needed to accomplish this work.

<sup>1</sup> The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations. The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be pulled up through a bill number search on the JFO page.

<sup>2</sup> 45 C.F.R. § 155.170