

STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 5137**

with (1R) Assembly Floor Amendments  
(Proposed by Assemblyman McKEON)

ADOPTED: MARCH 30, 2023

This floor amendment makes Assembly Bill 5137 (1R) identical to Senate Bill 3480 (2R) by:

- (1) stipulating that carriers offering individual health benefits plans are required to make a good faith effort to market individual health benefits plans;
- (2) removing from the bill a provision requiring the department to repeal or update any regulation in conflict with the goals of the bill, and render inconsistent provisions void;
- (3) allowing carriers using a prescription drug formulary pursuant to the bill to use an existing exceptions and appeals process if the process meets the requirements of the bill;
- (4) requiring the department to adopt rules and regulations, for plan year 2024, requiring no additional limitations on copayments, coinsurance, or deductibles for small employer health benefits plans to be beyond those set forth in the federal Patient Protection and Affordable Care Act, for individual health benefits plans; and
- (5) making certain technical changes.