**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-1-40 SO AS TO REQUIRE PERSONS WITH CERTAIN POOR HEALTH BEHAVIORS TO PARTICIPATE IN WELLNESS PROGRAMS AND IMPOSE A PREMIUM INCREASE FOR FAILURE TO IMPROVE; TO REQUIRE SCDHHS TO REQUEST A RELATED WAIVER FROM THE FEDERAL GOVERNMENT FOR PERSONS WITHIN A CERTAIN PERCENTAGE OF THE FEDERAL POVERTY LEVEL AND TO ESTABLISH RELATIONSHIPS WITH QUALIFIED HEALTH PLANS TO PROVIDE ACCESS TO FEDERAL FUNDS UNDER THE FEDERAL AFFORDABLE HEALTH CARE ACT TO COVER LOW INCOME FAMILIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 38 of the 1976 Code is amended by adding:

“Section 38-1-40. (A) Persons with poor health behaviors such as smoking or excessive body mass indexes (BMI) are required to participate in wellness programs sponsored by the Department of Health and Environmental Control. If there is no improvement in the health behaviors after one year, the insured is required to participate in the cost of the premium not to exceed 0.05 percent of their annual income.

(B) The South Carolina Department of Health and Human Services (SCDHHS) is required to submit a 1115 waiver to the United States Department of Health and Human Services requesting the establishment of a market where persons with incomes between 100-138 percent of the federal poverty level could purchase insurance coverage.

(C) SCDHHS is required to establish relationships with qualified health plans to provide access utilizing the federal funds authorized under the federal Affordable Care Act to cover low income families.”

SECTION 2. This act takes effect upon approval by the Governor.

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