

HOUSE No. 867

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 hospital indemnity insurance policies .

PETITION OF:

NAME:

Tackey Chan

DISTRICT/ADDRESS:

2nd Norfolk

HOUSE No. 867

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 867) of Tackey Chan relative to hospital indemnity insurance policies. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act hospital indemnity insurance policies .

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

1 SECTION 1. Section 1 of chapter 111M of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by striking out, in lines 27-34, the following: “hospital
3 indemnity insurance policies if offered as independent, non-coordinated benefits which, for the
4 purposes of this chapter, shall mean policies issued under chapter 175 which provide a benefit
5 not to exceed \$500 per day, as adjusted on an annual basis by the amount of increase in the
6 average weekly wages in the commonwealth as defined in section 1 of chapter 152, to be paid to
7 an insured or a dependent, including the spouse of an insured, on the basis of a hospitalization of
8 the insured or a dependent” and inserting in place thereof the following: -- “hospital indemnity
9 insurance policies which provide a benefit to be paid to an insured or a dependent, including the
10 spouse of an insured, on the basis of hospitalization of the insured or a dependent and which are
11 sold as a supplement and not as a substitute for a health benefit plan and which meet any
12 requirement that the commissioner by regulation may set”

13 SECTION 2. Section 108 of chapter 175 of the General Laws, as appearing in the 2010
14 Official Edition, is hereby amended by striking out, in line 27, the words “which provide stand-
15 alone dental services” and inserting in place thereof the following words:-- “that do not qualify
16 as creditable coverage as defined in section 1 of chapter 111M.”

17 SECTION 3. Section 108 of chapter 175 of the General Laws, as appearing in the 2010
18 Official Edition, is hereby amended in subsection 13 by adding after the word “sickness” the
19 following words:- “that offers creditable coverage”

20 SECTION 4. Section 108L of chapter 175 of the General Laws, as appearing in the 2010
21 Official Edition, is hereby amended by adding after the words “blanket policy of insurance” the
22 following words:- “that offers creditable coverage”

23 SECTION 5. Section 110 of chapter 175 of the General Laws, as appearing in the 2010
24 Official Edition, is hereby amended by striking out, in line 397 and in lines 409 and 410, the
25 words “which provide stand-alone dental services” and inserting in place thereof, in each
26 instance, the following words:-- “that do not qualify as creditable coverage as defined in section
27 1 of chapter 111M.”

28 SECTION 6. Section 1 of chapter 176J of the General Laws, as appearing in the 2010
29 Official Edition, is hereby amended by striking out, in lines 155-163, the following: “hospital
30 indemnity insurance policies if offered as independent, non-coordinated benefits which, for the
31 purposes of this chapter, shall mean policies issued under chapter 175 which provide a benefit
32 not to exceed \$500 per day, as adjusted on an annual basis by the amount of increase in the
33 average weekly wages in the commonwealth as defined in section 1 of chapter 152, to be paid to
34 an insured or a dependent, including the spouse of an insured, on the basis of a hospitalization of
35 the insured or a dependent” and inserting in place thereof the following: -- “hospital indemnity
36 insurance policies which provide a benefit to be paid to an insured or a dependent, including the
37 spouse of an insured, on the basis of hospitalization of the insured or a dependent and which are
38 sold as a supplement and not as a substitute for a health benefit plan and which meet any
39 requirement that the commissioner by regulation may set”

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41 SECTION 7. Section 1 of chapter 176O of the General Laws, as appearing in the 2010
42 Official Edition, is hereby amended by striking out, in lines 34-37, the following: “Unless
43 otherwise noted, the term “carrier” shall not include any entity to the extent it offers a policy,
44 certificate or contract that provides coverage solely for dental care services or visions care
45 services.” and inserting in place thereof the following:— “Unless otherwise noted, the term
46 “carrier” shall not include any entity to the extent it offers a policy, certificate or contract that
47 does not qualify as creditable coverage as defined in section 1 of chapter 111M.”

48 SECTION 8. Section 21(b)(1) of Ch. 176O of the General Laws, as appearing in the
49 2010 Official Edition, is hereby amended by striking out, in lines 66-68 the following “include
50 an entity that offers a policy, certificate or contract that provides coverage solely for dental care
51 services or visions care services.” and inserting in place thereof the following :-- “not include
52 any entity to the extent it offers a policy, certificate or contract that does not qualify as creditable
53 coverage as defined in section 1 of chapter 111M.”

54 SECTION 9. Section 1 of chapter 176Q of the General Laws, as appearing in the 2010
55 Official Edition, is hereby amended by striking out, in lines 42-49 the following: “hospital
56 indemnity insurance policies if offered as independent, non-coordinated benefits which, for the

57 purposes of this chapter, shall mean policies issued under chapter 175 which provide a benefit
58 not to exceed \$500 per day, as adjusted on an annual basis by the amount of increase in the
59 average weekly wages in the commonwealth as defined in section 1 of chapter 152, to be paid to
60 an insured or a dependent, including the spouse of an insured, on the basis of a hospitalization of
61 the insured or a dependent” and inserting in place thereof the following: -- “hospital indemnity
62 insurance policies which provide a benefit to be paid to an insured or a dependent, including the
63 spouse of an insured, on the basis of hospitalization of the insured or a dependent and which are
64 sold as a supplement and not as a substitute for a health benefit plan and which meet any
65 requirement that the commissioner by regulation may set”