

2010 -- H 7703

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO INSURANCE -- CHILDREN'S HEALTH INSURANCE BENEFITS

Introduced By: Representative Peter F. Kilmartin

Date Introduced: February 25, 2010

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-59 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-59. Termination of children's benefits.** -- (a) Every individual health insurance
4 contract, plan, or policy delivered, issued for delivery, or renewed in this state and every group
5 health insurance contract, plan, or policy delivered, issued for delivery or renewed in this state
6 which provides medical coverage for dependent children that includes coverage for physician
7 services in a physician's office, and every policy which provides major medical or similar
8 comprehensive type coverage, except for supplemental policies which only provide coverage for
9 specified diseases and other supplemental policies, shall provide coverage of an unmarried child
10 under the age of nineteen (19) years, an unmarried child who is a student under the age of twenty-
11 five (25) years and who is financially dependent upon the parent, [an unmarried child who is a](#)
12 [resident of this state, and is under the age of twenty-five \(25\) years, has no dependents, and is](#)
13 [unemployed and financially dependent upon the parent](#), and an unmarried child of any age who is
14 financially dependent upon the parent and medically determined to have a physical or mental
15 impairment which can be expected to result in death or which has lasted or can be expected to last
16 for a continuous period of not less than twelve (12) months. Such contract, plan or policy shall
17 also include a provision that policyholders shall receive no less than thirty (30) days notice from
18 the accident and sickness insurer that a child covered as a dependent by the policy holder is about
19 to lose his or her coverage as a result of reaching the maximum age for a dependent child, and

1 that the child will only continue to be covered upon documentation being provided of current full
2 or part-time enrollment in a post-secondary educational institution or that the child may purchase
3 a conversion policy if he or she is not an eligible student. Nothing in this section prohibits an
4 accident and sickness insurer from requiring a policyholder to annually provide proof of a child's
5 current full or part-time enrollment in a post-secondary educational institution in order to
6 maintain the child's coverage. Provided, nothing in this section requires coverage inconsistent
7 with the membership criteria in effect under the policyholder's health benefits coverage.

8 (b) This section does not apply to insurance coverage providing benefits for: (1) hospital
9 confinement indemnity; (2) disability income; (3) accident only; (4) long term care; (5) Medicare
10 supplement; (6) limited benefit health; (7) specified diseased indemnity; or (8) other limited
11 benefit policies.

12 SECTION 2. Section 27-19-50 of the General Laws in Chapter 27-19 entitled "Nonprofit
13 Hospital Service Corporations" is hereby amended to read as follows:

14 **27-19-50. Termination of children's benefits.** -- (a) Every individual health insurance
15 contract, plan, or policy delivered, issued for delivery, or renewed in this state and every group
16 health insurance contract, plan, or policy delivered, issued for delivery or renewed in this state
17 which provides medical coverage for dependent children that includes coverage for physician
18 services in a physician's office, and every policy which provides major medical or similar
19 comprehensive type coverage, except for supplemental policies which only provide coverage for
20 specified diseases and other supplemental policies, shall provide coverage of an unmarried child
21 under the age of nineteen (19) years, an unmarried child who is a student under the age of twenty-
22 five (25) years and who is financially dependent upon the parent and an unmarried child of any
23 age who is financially dependent upon the parent, an unmarried child who is a resident of this
24 state, and is under the age of twenty-five (25) years, has no dependents, and is unemployed and
25 financially dependent upon the parent, and medically determined to have a physical or mental
26 impairment which can be expected to result in death or which has lasted or can be expected to last
27 for a continuous period of not less than twelve (12) months. Such contract, plan or policy shall
28 also include a provision that policyholders shall receive no less than thirty (30) days notice from
29 the nonprofit hospital service corporation that a child covered as a dependent by the policyholder
30 is about to lose his or her coverage as a result of reaching the maximum age for a dependent child
31 and that the child will only continue to be covered upon documentation being provided of current
32 full or part-time enrollment in a post-secondary educational institution, or that the child may
33 purchase a conversion policy if he or she is not an eligible student.

34 (b) Nothing in this section prohibits a nonprofit hospital service corporation from

1 requiring a policyholder to annually provide proof of a child's current full or part-time enrollment
2 in a post-secondary educational institution in order to maintain the child's coverage. Provided,
3 nothing in this section requires coverage inconsistent with the membership criteria in effect under
4 the policyholder's health benefits coverage.

5 SECTION 3. Section 27-20-45 of the General Laws in Chapter 27-20 entitled "Nonprofit
6 Medical Service Corporations" is hereby amended to read as follows:

7 **27-20-45. Termination of children's benefits.** -- (a) Every individual health insurance
8 contract, plan, or policy delivered, issued for delivery, or renewed in this state and every group
9 health insurance contract, plan, or policy delivered, issued for delivery or renewed in this state
10 which provides medical coverage for dependent children that includes coverage for physician
11 services in a physician's office, and every policy which provides major medical or similar
12 comprehensive type coverage, except for supplemental policies which only provide coverage for
13 specified diseases and other supplemental policies, shall provide coverage of an unmarried child
14 under the age of nineteen (19) years, an unmarried child who is a student under the age of twenty-
15 five (25) years and who is financially dependent upon the parent, an unmarried child who is a
16 resident of this state, and is under the age of twenty-five (25) years, has no dependents, and is
17 unemployed and financially dependent upon the parent, and an unmarried child of any age who is
18 financially dependent upon the parent and medically determined to have a physical or mental
19 impairment which can be expected to result in death or which has lasted or can be expected to last
20 for a continuous period of not less than twelve (12) months. Such contract, plan or policy shall
21 also include a provision that policyholders shall receive no less than thirty (30) days notice from
22 the nonprofit medical service corporation that a child covered as a dependent by the policyholder
23 is about to lose his or her coverage as a result of reaching the maximum age for a dependent child
24 and that the child will only continue to be covered upon documentation being provided of current
25 full or part-time enrollment in a post-secondary educational institution, or that the child may
26 purchase a conversion policy if he or she is not an eligible student.

27 (b) Nothing in this section prohibits a nonprofit medical service corporation from
28 requiring a policyholder to annually provide proof of a child's current full or part-time enrollment
29 in a post-secondary educational institution in order to maintain the child's coverage. Provided,
30 nothing in this section requires coverage inconsistent with the membership criteria in effect under
31 the policyholder's health benefits coverage.

32 SECTION 4. Section 27-41-61 of the General Laws in Chapter 27-41 entitled "Health
33 Maintenance Organizations" is hereby amended to read as follows:

34 **27-41-61. Termination of children's benefits.** -- (a) Every individual health insurance

1 contract, plan, or policy delivered, issued for delivery, or renewed in this state which provides
2 medical coverage for dependent children that includes coverage for physician services in a
3 physician's office, and every policy which provides major medical or similar comprehensive type
4 coverage, except for supplemental policies which only provide coverage for specified diseases
5 and other supplemental policies, shall provide coverage of an unmarried child under the age of
6 nineteen (19) years, an unmarried child who is a student under the age of twenty-five (25) years
7 and who is financially dependent upon the parent, an unmarried child who is a resident of this
8 state, and is under the age of twenty-five (25) years, has no dependents, and is unemployed and
9 financially dependent upon the parent, and an unmarried child of any age who is financially
10 dependent upon the parent and medically determined to have a physical or mental impairment
11 which can be expected to result in death or which has lasted or can be expected to last for a
12 continuous period of not less than twelve (12) months. Such contract, plan or policy shall also
13 include a provision that policyholders shall receive no less than thirty (30) days notice from the
14 health maintenance organization that a child is about to lose his or her coverage as a result of
15 reaching the maximum age for a dependent child and that the child will only continue to be
16 covered upon documentation being provided of current full or part-time enrollment in a post-
17 secondary educational institution, or that the child may purchase a conversion policy if he or she
18 is not an eligible student.

19 (b) Nothing in this section prohibits a nonprofit health maintenance organization from
20 requiring a policyholder to annually provide proof of a child's current full or part-time enrollment
21 in a post-secondary educational institution in order to maintain the child's coverage. Provided,
22 nothing in this section requires coverage inconsistent with the membership criteria in effect under
23 the policyholder's health benefits coverage.

24 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- CHILDREN'S HEALTH INSURANCE BENEFITS

1 This act would extend health insurance coverage to an unmarried child who is a resident
2 of this state, under the age of twenty-five (25) years, has no dependents, and is unemployed and
3 financially dependent.

4 This act would take effect upon passage.

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