

2010 -- S 2416

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senators Pichardo, C Levesque, Perry, Sosnowski, and Goodwin

Date Introduced: February 11, 2010

Referred To: Senate Health & Human Services

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~~ twenty-nine (29) years, ~~an unmarried child who is a student~~  
11 ~~under the age of twenty five (25) years~~ and who is financially dependent upon the parent and an  
12 unmarried child of any age who is financially dependent upon the parent and medically  
13 determined to have a physical or mental impairment which can be expected to result in death or  
14 which has lasted or can be expected to last for a continuous period of not less than twelve (12)  
15 months. Such contract, plan or policy shall also include a provision that policyholders shall  
16 receive no less than thirty (30) days notice from the accident and sickness insurer that a child  
17 covered as a dependent by the policy holder is about to lose his or her coverage as a result of  
18 reaching the maximum age for a dependent child, and that the child will only continue to be  
19 covered upon documentation being provided of current full or part-time enrollment in a post-

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

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

11 SECTION 2. Section 27-20.1-17 of the General Laws in Chapter 27-20.1 entitled  
12 "Nonprofit Dental Service Corporations" is hereby amended to read as follows:

13 **27-20.1-17. Termination of children's benefits.** -- ~~(a)~~ Every individual or group health  
14 insurance contract, plan, or policy delivered, issued for delivery, or renewed in this state which  
15 provides medical coverage that includes coverage for physician services in a physician's office,  
16 and every policy which provides major medical or similar comprehensive type coverage, except  
17 for supplemental policies which only provide coverage for specified diseases and other  
18 supplemental policies, shall include a provision that policyholders shall receive no less than thirty  
19 (30) days notice from the nonprofit dental service corporation that a child covered as a dependent  
20 by the policyholder is about to lose his or her coverage as a result of reaching the maximum age  
21 for a dependent child ~~and that the child will only continue to be covered upon documentation~~  
22 ~~being provided of current college enrollment, or that the child may purchase a conversion policy~~  
23 ~~if he or she is not a college student.~~

24 ~~(b) Nothing in this section prohibits a nonprofit dental service corporation from requiring~~  
25 ~~a policyholder to annually provide proof of a child's current college enrollment in order to~~  
26 ~~maintain the child's coverage. Provided, nothing in this section requires coverage inconsistent~~  
27 ~~with the membership criteria in effect under the policyholder's health benefits coverage.~~

28 SECTION 3. Section 27-41-61 of the General Laws in Chapter 27-41 entitled "Health  
29 Maintenance Organizations" is hereby amended to read as follows:

30 **27-41-61. Termination of children's benefits.** -- (a) Every individual health insurance  
31 contract, plan, or policy delivered, issued for delivery, or renewed in this state which provides  
32 medical coverage for dependent children that includes coverage for physician services in a  
33 physician's office, and every policy which provides major medical or similar comprehensive type  
34 coverage, except for supplemental policies which only provide coverage for specified diseases

1 and other supplemental policies, shall provide coverage of an unmarried child under the age of  
2 ~~nineteen (19) years~~ twenty-nine (29) years, ~~an unmarried child who is a student under the age of~~  
3 ~~twenty-five (25) years~~ and who is financially dependent upon the parent and an unmarried child  
4 of any age who is financially dependent upon the parent and medically determined to have a  
5 physical or mental impairment which can be expected to result in death or which has lasted or can  
6 be expected to last for a continuous period of not less than twelve (12) months. Such contract,  
7 plan or policy shall also include a provision that policyholders shall receive no less than thirty  
8 (30) days notice from the health maintenance organization that a child is about to lose his or her  
9 coverage as a result of reaching the maximum age for a dependent child and that the child will  
10 only continue to be covered upon documentation being provided of current full or part-time  
11 enrollment in a post-secondary educational institution, or that the child may purchase a  
12 conversion policy if he or she is not an eligible student.

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

18 SECTION 4. 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 - ACCIDENT AND SICKNESS INSURANCE POLICIES

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1           This act would make all unmarried children under the age of twenty-nine (29), who are  
2 living with their parents eligible for family health insurance coverage.

3           This act would take effect upon passage.

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