



General Assembly

January Session, 2003

Raised Bill No. 6442

LCO No. 3225

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

**AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR
ADOPTED CHILDREN.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 38a-508 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Each individual health insurance policy providing coverage of
4 the type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of
5 section 38a-469 delivered, issued for delivery, amended, renewed or
6 continued in this state shall provide coverage for a child legally placed
7 for adoption with the insured or subscriber who is an adoptive parent
8 or a prospective adoptive parent, even though the adoption has not
9 been finalized, provided the child lives in the household of such
10 insured or subscriber and the child is dependent upon such person for
11 support and maintenance.

12 (b) Coverage for such child legally placed for adoption shall consist
13 of coverage for injury and sickness including necessary care and
14 treatment of medically diagnosed congenital defects and birth
15 abnormalities within the limits of the policy.

16 (c) If payment of a specific premium or subscription fee is required
17 to provide coverage for a child legally placed for adoption with the
18 insured or subscriber who is an adoptive parent or a prospective
19 adoptive parent, the policy or contract may require that notification of
20 acceptance of such child and payment of the required premium or fees
21 be furnished to the insurer, hospital or medical service corporation or
22 health care center within thirty-one days after the acceptance of such
23 child in order to continue coverage beyond such thirty-one-day period,
24 provided failure to furnish such notice or pay such premium or fees
25 shall not prejudice any claim originating within such thirty-one-day
26 period.

27 (d) Such policy (1) shall cover such child legally placed for adoption
28 on the same basis as other dependents, and (2) may not contain any
29 provision concerning preexisting conditions, insurability, eligibility or
30 health underwriting approval for a child legally placed for adoption,
31 except that an insurer, hospital or medical service corporation or
32 health care center may require medical underwriting for a child legally
33 placed for adoption if required premiums and completed application
34 materials are not provided to the insurer, hospital or medical service
35 corporation or health care center before the expiration of the thirty-
36 one-day period following the date the adopted child was accepted for
37 coverage under the policy.

38 Sec. 2. Section 38a-549 of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) Each group health insurance policy providing coverage of the
41 type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of
42 section 38a-469 delivered, issued for delivery, amended, renewed or
43 continued in this state shall provide coverage for a child legally placed
44 for adoption with an employee or other member of the covered group
45 who is an adoptive parent or a prospective adoptive parent, even
46 though the adoption has not been finalized, provided the child lives in
47 the household of such employee or member and the child is dependent

48 upon such employee or member for support and maintenance.

49 (b) Coverage for such child legally placed for adoption shall consist
50 of coverage for injury and sickness including necessary care and
51 treatment of medically diagnosed congenital defects and birth
52 abnormalities within the limits of the policy.

53 (c) If payment of a specific premium fee is required to provide
54 coverage for a child legally placed for adoption with the insured or
55 subscriber who is an adoptive parent or a prospective adoptive parent,
56 the policy may require that notification of acceptance of such child and
57 payment of the required premium or fees be furnished to the insurer,
58 hospital or medical service corporation or health care center within
59 thirty-one days after the acceptance of such child in order to continue
60 coverage beyond such thirty-one-day period, provided failure to
61 furnish such notice or pay such premium or fees shall not prejudice
62 any claim originating within such thirty-one-day period.

63 (d) Such policy (1) shall cover such child legally placed for adoption
64 on the same basis as other dependents, and (2) may not contain any
65 provision concerning preexisting conditions, insurability, eligibility or
66 health underwriting approval for a child legally placed for adoption,
67 except that an insurer, hospital or medical service corporation or
68 health care center may require medical underwriting for a child legally
69 placed for adoption if required premiums and completed application
70 materials are not provided to the insurer, hospital or medical service
71 corporation or health care center before the expiration of the thirty-
72 one-day period following the date the adopted child was accepted for
73 coverage under the policy.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>

Statement of Purpose:

To clarify that an insurer may require medical underwriting as a precondition for coverage of an adopted child if required premiums and completed application materials are not submitted on behalf of the child within thirty-one days after the child was accepted for coverage.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

INS *Joint Favorable*