



General Assembly

January Session, 2005

Amendment

LCO No. 6002

HB0691506002HDO

Offered by:
REP. O'CONNOR, 35th Dist.

To: Subst. House Bill No. 6915 File No. 265 Cal. No. 240

"AN ACT CONCERNING PORTABILITY UNDER PLANS ISSUED THROUGH THE HEALTH REINSURANCE ASSOCIATION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 38a-553 of the general statutes is amended by
4 adding subsection (k) as follows (*Effective October 1, 2005*):

5 (NEW) (k) (1) Each comprehensive health care plan issued through
6 the Health Reinsurance Association shall provide coverage, under the
7 terms and conditions of the plan, for the preexisting conditions of any
8 group member or dependent who is newly insured under the plan on
9 or after October 1, 2005, and was previously covered for such
10 preexisting condition under the terms of the group member's or
11 dependent's preceding qualifying coverage, provided the preceding
12 qualifying coverage was continuous to a date less than one hundred
13 twenty days prior to the effective date of the new coverage, exclusive
14 of any applicable waiting period, except in the case of a newly insured
15 group member whose preceding qualifying coverage was terminated

16 due to an involuntary loss of employment, the preceding qualifying
17 coverage must have been continuous to a date not more than one
18 hundred fifty days prior to the effective date of the new coverage
19 under the plan, exclusive of any applicable waiting period, provided
20 the requirements of this subdivision shall only apply if the newly
21 insured group member or dependent applies for such succeeding
22 coverage not later than thirty days after the first day of the member's
23 or dependent's initial eligibility.

24 (2) With respect to a group member or dependent who was newly
25 insured under the plan on or after October 1, 2005, and was previously
26 covered under qualifying coverage, but was not covered under such
27 qualifying coverage for a preexisting condition, as defined under the
28 newly issued comprehensive health care plan, such plan shall credit
29 the time such group member or dependent was previously covered by
30 qualifying coverage to the exclusion period of the preexisting
31 condition provision, provided the preceding qualifying coverage was
32 continuous to a date less than one hundred twenty days prior to the
33 effective date of the new coverage, exclusive of any applicable waiting
34 period under such plan, except in the case of a newly insured group
35 member whose preceding qualifying coverage was terminated due to
36 an involuntary loss of employment, the preceding qualifying coverage
37 must have been continuous to a date not more than one hundred fifty
38 days prior to the effective date of the new coverage, exclusive of any
39 applicable waiting period, provided the requirements of this
40 subdivision shall only apply if such newly insured group member or
41 dependent applies for such succeeding coverage not later than thirty
42 days after the first day of the member's or dependent's initial
43 eligibility.

44 (3) As used in this subsection, "qualifying coverage" means coverage
45 under (A) any group health insurance plan, group insurance
46 arrangement or self-insured plan covering a group, (B) Medicare or
47 Medicaid, or (C) an individual health insurance plan that provides
48 benefits which are actuarially equivalent to or exceeding the benefits
49 provided under a small employer health care plan, as defined in

50 section 38a-564, whether issued in this state or any other state, as
51 determined by the Insurance Department."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	38a-553