



# Senate

General Assembly

**File No. 201**

February Session, 2006

Substitute Senate Bill No. 425

*Senate, March 29, 2006*

The Committee on Insurance and Real Estate reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES  
RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED  
BLOOD ALCOHOL CONTENT.***

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

1 Section 1. (NEW) (*Effective October 1, 2006*) No individual health  
2 insurance policy providing coverage of the type specified in  
3 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general  
4 statutes delivered, issued for delivery, amended, renewed or  
5 continued in this state on or after October 1, 2006, shall deny coverage  
6 for any injury or loss sustained by any person when such injury or loss  
7 is alleged to have occurred or occur under circumstances in which (1)  
8 such person has an elevated blood alcohol content, as defined in  
9 subsection (a) of section 14-227a of the 2006 supplement to the general  
10 statutes, or (2) such person has sustained such injury or loss while  
11 under the influence of intoxicating liquor or any drug or both.

12 Sec. 2. (NEW) (*Effective October 1, 2006*) No group health insurance  
13 policy providing coverage of the type specified in subdivisions (1), (2),

14 (4), (11) and (12) of section 38a-469 of the general statutes delivered,  
15 issued for delivery, amended, renewed or continued in this state on or  
16 after October 1, 2006, shall deny coverage for any injury or loss  
17 sustained by any person when such injury or loss is alleged to have  
18 occurred or occur on or under circumstances in which (1) such person  
19 has an elevated blood alcohol content, as defined in subsection (a) of  
20 section 14-27a of the 2006 supplement to the general statutes, or (2)  
21 such person has sustained such injury or loss while under the  
22 influence of intoxicating liquor or any drug or both.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section

**INS**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect
State Comptroller - Fringe Benefits	None

**Municipal Impact:**

Municipalities	Effect	FY 07 \$	FY 08 \$
Various Municipalities	Potential Cost	Indeterminate	Indeterminate

**Explanation**

The state employee health plans do not have the exclusion prohibited in the bill, therefore there would be no cost effect to the state as an employer.

The bill's impact on municipal health insurance costs will vary based on existing municipal coverage. To the extent that a municipal plan denies coverage due to an elevated blood alcohol level, there may be increased costs to provide it that cannot be determined.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 425*****AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED BLOOD ALCOHOL CONTENT.*****SUMMARY:**

This bill prohibits health insurance policies from denying coverage for a person's injuries or losses that allegedly occurred when he had an elevated blood alcohol level (BAC) or was under the influence of intoxicating liquor, drugs, or both. An "elevated BAC" is 0.08% or more. (The bill does not (1) define "under the influence" or (2) specify who makes the determination. It refers to "losses," which is a property-casualty insurance reference and is not typically used in health insurance policies. It apparently prohibits a policy from denying coverage for health care services rendered to treat injuries in certain circumstances, although it specifies denying coverage for injuries.)

The bill applies to individual and group health insurance policies delivered, issued, amended, renewed, or continued on or after October 1, 2006 that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including HMOs.

EFFECTIVE DATE: October 1, 2006

**BACKGROUND*****Related Case***

"Driving under the influence" means a person's ability to drive is affected to an appreciable degree (*Infield v. Sullivan*, 151 Conn. 506 (1964)).

**COMMITTEE ACTION**

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/16/2006)