



General Assembly

Amendment

January Session, 2009

LCO No. 6566

SB0071606566SD0

Offered by:

SEN. CRISCO, 17th Dist.

REP. FONTANA, 87th Dist.

To: Subst. Senate Bill No. 716

File No. 136

Cal. No. 164

"AN ACT ELIMINATING THE REDUCTION OF BENEFITS PAYABLE UNDER A LONG-TERM DISABILITY POLICY BY AMOUNTS RECEIVED BY THE INSURED IN SOCIAL SECURITY PAYMENTS."

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

3 "Section 1. (NEW) (*Effective January 1, 2010*) (a) Each insurer that
4 delivers, issues for delivery, renews, amends or continues an
5 individual long-term disability income protection coverage policy in
6 this state shall offer to an applicant or insured the option to choose
7 between the following:

8 (1) A long-term disability income protection coverage policy that
9 prohibits the insurer from reducing its liability for loss or expense from
10 sickness or from bodily injury of the applicant or insured by reason of
11 disability benefits received by the insured under the Social Security
12 Act, as amended from time to time; or

13 (2) A long-term disability income protection coverage policy that
14 contains an offset for disability benefits received by the applicant or
15 insured under the Social Security Act, as amended from time to time,
16 and provides a premium rate that reflects such offset.

17 (b) The insurer shall provide a written notice to an applicant or
18 insured that discloses the premium rates for each option set forth in
19 subdivisions (1) and (2) of subsection (a) of this section and the effect
20 of the offset on any benefits under such policy. The applicant or
21 insured shall acknowledge such applicant's or insured's option
22 selection to the insurer in writing.

23 (c) Any benefits received by any dependent of the applicant or
24 insured or received by such applicant or insured on behalf of such
25 dependent shall be excluded from the offset option set forth in
26 subdivision (2) of subsection (a) of this section.

27 (d) Each such policy set forth in subsection (a) of this section shall
28 comply with the provisions of section 38a-483 of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2010	New section