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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO INSURANCE -- MEDICARE SUPPLEMENT INSURANCE POLICIES

Introduced By: Senators Miller, Valverde, Lauria, DiMario, and Ujifusa

Date Introduced: January 12, 2024

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18.2 of the General Laws entitled "Medicare Supplement
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18.2-3.2. Medicare Part B special enrollment period for end of federal health**
4 **emergency.**

5 (a) This section shall apply to any individual Medicare supplement policy and to any group
6 Medicare supplement policy issued to a group of which an individual had privileges associated
7 with group membership.

8 (b) A carrier that issues Medicare supplement policies in the State of Rhode Island shall
9 issue any Medicare supplement policy that the carrier sells in the state to an individual eligible for
10 Medicare if the individual:

11 (1) Is enrolled in Medicare Part B while enrolled in the Rhode Island medical assistance
12 program;

13 (2) Remained in the Rhode Island medical assistance program due to a suspension or
14 termination by the Rhode Island medical assistance program during a state of emergency and was
15 not disenrolled or terminated until at least six (6) months following the effective date of enrollment
16 in Medicare Part B;

17 (3) Applies for the Medicare supplement policy during the sixty-three (63) day period
18 following the later of notice of termination or disenrollment or the date of termination from the
19 Rhode Island medical assistance program; and

1 (4) Submits evidence of the date of termination or disenrollment from the Rhode Island
2 medical assistance program with the application for the Medicare supplement policy.

3 (c) With respect to an individual described in this section, a carrier shall not:

4 (1) Deny or place a condition on the issuance or effectiveness of a Medicare supplement
5 policy that is offered and is available for issuance to new enrollees by the carrier;

6 (2) Discriminate on the pricing of a Medicare supplement policy because of health status,
7 claims experience, receipt of health care, or medical condition; or

8 (3) Impose an exclusion of benefits based on a preexisting condition under a Medicare
9 supplement policy.

10 (d) This section shall sunset on December 31, 2026.

11 SECTION 2. This act shall take effect upon passage and sunset on December 31, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO INSURANCE -- MEDICARE SUPPLEMENT INSURANCE POLICIES

1 This act would provide a special enrollment period for applicants for Medicare Part B. This
2 act would also prohibit state insurance carriers from denying or imposing conditions on new
3 enrollees or discriminate on price based upon health status, claims experience or preexisting
4 conditions.

5 This act would take effect upon passage and sunset on December 31, 2026.

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