

2022 -- S 2548 SUBSTITUTE A

LC004318/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO INSURANCE -- INDIVIDUAL HEALTH INSURANCE COVERAGE

Introduced By: Senators Valverde, Murray, Sosnowski, Miller, Cano, DiMario, Kallman,
Gallo, Lawson, and Quezada

Date Introduced: March 01, 2022

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18.5 of the General Laws entitled "Individual Health Insurance
2 Coverage" is hereby amended by adding thereto the following section:

3 **27-18.5-10.1. Special enrollment - Pregnancy.**

4 (a) In general. A carrier shall establish a special enrollment period that allows for the
5 enrollment of a pregnant individual at any time after the commencement of the pregnancy.
6 Coverage shall be effective as of the first of the month in which the pregnant individual applies for
7 coverage. This special enrollment period shall be applicable to all health insurance coverage offered
8 by a carrier.

9 (b) Non-interference with federal and state law. Nothing in subsection (a) of this section
10 shall be construed to conflict with or preempt any other applicable requirements for enrollment in
11 health insurance coverage under federal and state law. The special enrollment period described in
12 subsection (a) is in addition to any other special enrollment periods that are required under federal
13 and state law.

14 SECTION 2. Chapter 27-18.6 of the General Laws entitled "Large Group Health Insurance
15 Coverage" is hereby amended by adding thereto the following section:

16 **27-18.6-3.1. Special enrollment - Pregnancy.**

17 (a) In general. A group health plan and a carrier shall establish a special enrollment period
18 that allows for the enrollment of a pregnant individual at any time after the commencement of the
19 pregnancy. Coverage shall be effective as of the first of the month in which the pregnant individual

1 applies for coverage. This special enrollment period shall be applicable to all group health insurance
2 coverage and health insurance coverage offered by a group health plan or a carrier.

3 (b) Non-interference with federal and state law. Nothing in subsection (a) of this section
4 shall be construed to conflict with or preempt any other applicable requirements for enrollment in
5 health insurance coverage under federal and state law. The special enrollment period described in
6 subsection (a) is in addition to any other special enrollment periods that are required under federal
7 and state law.

8 SECTION 3. Chapter 27-50 of the General Laws entitled "Small Employer Health
9 Insurance Availability Act" is hereby amended by adding thereto the following section:

10 **27-50-18. Special enrollment - Pregnancy.**

11 (a) In general. A carrier shall establish a special enrollment period that allows for the
12 enrollment of a pregnant individual at any time after the commencement of the pregnancy.
13 Coverage shall be effective as of the first of the month in which the pregnant individual applies for
14 coverage. This special enrollment period shall be applicable to all health benefit plans subject to
15 this chapter.

16 (b) Non-interference with federal and state law. Nothing in subsection (a) of this section
17 shall be construed to conflict with or preempt any other applicable requirements for enrollment in
18 health insurance coverage under federal and state law. The special enrollment period described in
19 subsection (a) is in addition to any other special enrollment periods that are required under federal
20 and state law.

21 SECTION 4. Chapter 42-157 of the General Laws entitled "Rhode Island Health Benefit
22 Exchange" is hereby amended by adding thereto the following section:

23 **42-157-15. Special enrollment - Pregnancy.**

24 (a) In general. The exchange may establish a special enrollment period that allows for the
25 enrollment of a pregnant individual at any time after the commencement of the pregnancy. If
26 established, coverage shall be effective as of the first of the month in which the pregnant individual
27 applies for coverage.

28 (b) Non-interference with federal and state law. Nothing in subsection (a) of this section
29 shall be construed to conflict with or preempt any other applicable requirements for enrollment in
30 a qualified health plan under federal and state law. The special enrollment period described in
31 subsection (a) is in addition to any other special enrollment periods that are required under federal
32 and state law.

1 SECTION 5. This act shall take effect on January 1, 2023, and shall apply to all health
2 insurance policies issued or renewed thereafter.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- INDIVIDUAL HEALTH INSURANCE COVERAGE

1 This act would establish a special enrollment provision for pregnant women to obtain
2 health insurance coverage at any time after the commencement of the pregnancy.

3 This act would take effect on January 1, 2023, and apply to all health insurance policies
4 issued or renewed thereafter.

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