

HB 1616 -- HEALTH INSURANCE COVERAGE FOR PREEXISTING CONDITIONS

SPONSOR: Coleman (97)

This bill creates the "Ensuring Coverage for Patients with Preexisting Conditions Act" which requires all health carriers offering health insurance coverage in this state to accept every employer and individual in this state that applies for such coverage, with the following exceptions.

- 1) A health carrier may restrict enrollment to open or established special enrollment periods for qualifying events;
- 2) A health carrier offering coverage through a network may limit employers to those with eligible individuals who live, work, or reside in the service area for such network plan; and
- 3) A health carrier offering coverage through a network may deny such coverage to such employers and individuals if they can demonstrate to the Department of Commerce and Insurance (DCI) that the health carrier does not have the capacity to deliver services adequately to enrollees of any additional groups or individuals because of its obligations to existing group contract holders and enrollees or if it does not have adequate reserves to underwrite additional coverage. A health insurer must apply this denial uniformly to all employers or individuals without regard to claims experience or health status-related factors.

A health carrier denying health insurance coverage in any service area may not offer additional coverage in such area for a period of 180 days.

A health carrier shall not establish rules for eligibility for any covered person based on, health status, medical condition, claims experience, receipt of health care, medical history, genetic information, evidence of insurability or any other health status-related factor determined appropriate by the DCI, nor shall it charge more premium for any individual having such conditions as specified in the bill.