First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REENGROSSED
This Version Includes All Amendments
Adopted in the House of Introduction

LLS NO. 09-0679.02 Kristen Forrestal **SENATE BILL 09-159**

SENATE SPONSORSHIP

Sandoval,

HOUSE SPONSORSHIP

McGihon and Benefield,

Senate Committees
Health and Human Services

House Committees

A BILL FOR AN ACT

CONCERNING THE MANDATORY OFFER OF DEPENDENT COVERAGE TO AN UNMARRIED CHILD.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Changes the age of an individual for which a carrier is required to offer dependent coverage for an additional premium from 25 to 30.

SENATE
3rd Reading Unamended
February 25, 2009

SENATE
Amended 2nd Reading
February 24, 2009

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The introductory portion to 10-16-104.3 (1),

Colorado Revised Statutes, is amended, and the said 10-16-104.3 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

10-16-104.3. Dependent health coverage for persons under twenty-five years of age. (1) All individual and group sickness and accident insurance policies providing coverage within the state by an entity subject to the provisions of part 2 of this article and all group health service contracts issued by an entity subject to the provisions of part 3 or 4 of this article that offer dependent coverage shall offer to the parent, for an additional premium if applicable, by rider or supplemental policy provision, the same dependent coverage for an unmarried child who is under ~~twenty-five~~ THIRTY years of age, and is not a dependent as defined by section 10-16-102 if such child:

(3) (a) ALL INDIVIDUAL AND GROUP SICKNESS AND ACCIDENT INSURANCE POLICIES PROVIDING COVERAGE WITHIN THE STATE BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 2 OF THIS ARTICLE AND ALL GROUP HEALTH SERVICE CONTRACTS ISSUED BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 3 OR 4 OF THIS ARTICLE THAT PROVIDE DEPENDENT COVERAGE TO A CHILD WHO IS ENROLLED IN A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL NOT TERMINATE COVERAGE DUE TO A MEDICALLY NECESSARY LEAVE OF ABSENCE BEFORE THE DATE THAT IS THE EARLIER OF:

(I) ONE YEAR AFTER THE FIRST DAY OF THE MEDICALLY NECESSARY LEAVE OF ABSENCE; OR

(II) THE DATE THE COVERAGE WOULD OTHERWISE TERMINATE UNDER THE TERMS OF THE PLAN OR HEALTH INSURANCE COVERAGE.

(b) FOR THE PURPOSES OF THIS SECTION "MEDICALLY NECESSARY

LEAVE OF ABSENCE" MEANS A LEAVE OF ABSENCE FROM A POSTSECONDARY EDUCATIONAL INSTITUTION OR A CHANGE IN ENROLLMENT OF THE DEPENDENT AT THE INSTITUTION THAT BEGINS WHILE THE DEPENDENT IS SUFFERING FROM A SERIOUS ILLNESS, IS MEDICALLY NECESSARY, AND CAUSES THE DEPENDENT TO LOSE STUDENT STATUS FOR THE PURPOSE OF DEPENDENT COVERAGE.

SECTION 2. Act subject to petition - effective date. (1) This act shall take effect January 1, 2010.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.