

By Senator Lynn

7-253-07

1 A bill to be entitled

2 An act relating to health insurance; amending

3 s. 627.6562, F.S., relating to dependent

4 coverage; amending the criteria governing

5 mandatory coverage of a dependent child under

6 group, blanket, or franchise health insurance

7 policies covering residents of this state;

8 providing for a dependent child to make a

9 written election to extend coverage or restore

10 previously terminated coverage; providing

11 guidelines for extended coverage; providing

12 limitations on additional premiums; providing

13 duties of the Office of Insurance Regulation;

14 requiring that notice regarding coverage for a

15 dependent child be provided to covered persons;

16 providing applicability; providing an effective

17 date.

18

19 Be It Enacted by the Legislature of the State of Florida:

20

21 Section 1. Section 627.6562, Florida Statutes, is

22 amended to read:

23 627.6562 Dependent coverage.--

24 (1) If an insurer offers under a group, blanket, or

25 franchise health insurance policy coverage that insures

26 dependent children of the policyholder or certificateholder,

27 the policy must insure a dependent child of the policyholder

28 or certificateholder at least until the end of the calendar

29 year in which the child reaches the age of 25, if the child

30 ~~meets all of the following:~~

31

1 (a) Is unmarried and does not have a dependent of his
2 or her own; The child is dependent upon the policyholder or
3 certificatcholder for support.

4 (b) Is a resident of this state or The child is living
5 in the household of the policyholder or certificatcholder, or
6 the child is enrolled as a full-time or part-time student;
7 and-

8 (c) Is not actually provided coverage as a named
9 subscriber, insured, enrollee, or covered person under any
10 other group, blanket, or franchise health insurance policy or
11 individual health benefits plan or entitled to benefits under
12 Title XVIII of the Social Security Act, Pub. L. No. 89-97 (42
13 U.S.C. s. 1395 et seq.).

14 (2) ~~Nothing in~~ This section does not:

15 (a) Affect or preempt affects or preempts an insurer's
16 right to medically underwrite or charge the appropriate
17 premium.

18 (b) Require coverage for services provided before July
19 1, 2007, to a dependent.

20 (c) Require that an employer pay all or part of the
21 cost of coverage provided for a dependent under this section.

22 (3)(a) A dependent child who is covered by a covered
23 person's plan which coverage under the plan terminates at a
24 specific age before the date provided under subsection (1),
25 may make a written election for coverage as a dependent
26 pursuant to this section until the end of the calendar year in
27 which the child reaches the age of 25:

28 1. Within 30 days before the termination of coverage
29 at the age specified in the plan;

30 2. Within 30 days after meeting the requirements for
31 coverage as a dependent child as set forth in subsection (1),

1 when coverage for the dependent under the plan has previously
2 terminated; or

3 3. During a 30-day period in each year following the
4 year coverage terminates at the age specified in the plan,
5 which period shall begin on the anniversary of the date on
6 which the dependent child's coverage terminated, if the
7 dependent meets the requirements set forth in subsection (1)
8 during the 30-day period.

9 (b) Until July 1, 2008, a dependent who qualifies for
10 coverage under subsection (1) but whose coverage as a
11 dependent under a covered person's plan terminated under the
12 terms of the plan before July 1, 2007, may make a written
13 election to reinstate coverage under that plan as a dependent
14 child pursuant to this section.

15 (4)(a) Coverage for a dependent child who makes a
16 written election for coverage pursuant to paragraph (3)(a)
17 must be identical to the coverage provided to that dependent
18 before the termination of coverage under the plan. If coverage
19 is modified under the plan for any similarly situated
20 dependent children before the termination of coverage for the
21 dependent occurred, the coverage must also be modified in the
22 same manner for the dependent child.

23 (b) Coverage for a dependent child who makes a written
24 election for coverage under paragraph (3)(a) may not be
25 conditioned upon or discriminate on the basis of lack of
26 evidence of insurability.

27 (5)(a) The covered person's plan may require the
28 payment of a premium by the covered person or dependent child,
29 as appropriate, subject to the approval of the Office of
30 Insurance Regulation, for any period of coverage relating to a
31 dependent's written election for coverage pursuant to

1 paragraph (3)(a). The premium may not exceed 102 percent of
2 the applicable portion of the premium previously paid for that
3 dependent's coverage under the plan before the termination of
4 coverage under the plan.

5 (b) The applicable portion of the premium previously
6 paid for the dependent's coverage under the plan shall be
7 determined pursuant to rules adopted by the office, based upon
8 the difference between the plan's rating tiers for adult and
9 dependent coverage or family coverage, as appropriate, and
10 single coverage, or based upon any other formula or dependent
11 rating tier that the office considers appropriate and that
12 provides a substantially similar result.

13 (6) Notice regarding coverage for a dependent child as
14 provided under this section must be provided to a covered
15 person:

16 (a) In the certificate of coverage prepared for
17 covered persons by the carrier on or about the date of
18 commencement of coverage; and

19 (b) By the covered person's employer:

20 1. On or before the coverage of a covered person's
21 dependent child terminates at the age specified in the plan;

22 2. At the time coverage of the dependent child is no
23 longer provided under this section because the dependent child
24 does not meet the qualifications set forth in subsection (1),
25 except that this notice is not required when a dependent child
26 no longer qualifies because of age or because of having a
27 dependent of his or her own;

28 3. Before the 30-day period in each year following the
29 year coverage terminates at the age specified in the plan, so
30 as to permit a dependent child to make a written election for
31 coverage under paragraph (3)(a); and

