



565354

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2009	.	
	.	
	.	
	.	

The Committee on Banking and Insurance (Fasano) recommended the following:

1 **Senate Substitute for Amendment (836234) (with title**
2 **amendment)**

3
4 Delete lines 11 - 42
5 and insert:

6 Section 1. Subsection (1) of section 627.6741, Florida
7 Statutes, is amended to read:

8 627.6741 Issuance, cancellation, nonrenewal, and
9 replacement.—

10 (1) (a) An insurer issuing Medicare supplement policies in
11 this state shall offer the opportunity of enrolling in a



565354

12 Medicare supplement policy, without conditioning the issuance or
13 effectiveness of the policy on, and without discriminating in
14 the price of the policy based on, the medical or health status
15 or receipt of health care by the individual:

16 1.-(a) To any individual who is 65 years of age or older, or
17 under age 65 and eligible for Medicare by reason of disability
18 or end-stage renal disease, and who resides in this state, upon
19 the request of the individual during the 6-month period
20 beginning with the first month in which the individual has
21 attained 65 years of age and is enrolled in Medicare ~~Part~~ ~~part~~
22 B, or is eligible for Medicare by reason of disability or end-
23 stage renal disease, and is enrolled in Medicare Part B; or

24 2.-(b) To any individual who is 65 years of age or older, or
25 under age 65 and eligible for Medicare by reason of disability
26 or end-stage renal disease, and is enrolled in Medicare ~~Part~~
27 ~~part~~ B, who resides in this state, upon the request of the
28 individual during the 2-month period following termination of
29 coverage under a group health insurance policy;:-

30 (b) The 6-month period to enroll in a Medicare Supplement
31 policy for an individual who is under age 65 and eligible for
32 Medicare as a result of a disability or end-stage renal disease
33 and otherwise eligible under paragraphs (a) and(b) and first
34 enrolled in Medicare Part B before July 1, 2009, begins on July
35 1, 2009.

36 (c) A company that has offered Medicare Supplement policies
37 to individuals under age 65 and eligible for Medicare by reason
38 of disability or end-stage renal disease before July 1, 2009,
39 may, one time only, effect a rate schedule change that redefines
40 the age bands of the premium classes without activating the



565354

41 period of discontinuance required by s. 627.410(6)(e)2.

42 (e) As a part of an insurer's first rate filing for a block
43 of policy forms in 2012, an insurer may propose a rate
44 adjustment that considers the experience of the policies or
45 certificates for those individuals under age 65 separate from
46 the balance of the block. For this one filing only, credibility
47 of that experience shall be as follows: if a block of policy
48 forms has 1,250 or more policies or certificates in force in the
49 age band, including ages under age 65, full or 100 percent
50 credibility shall be given to the experience. If fewer than 250
51 policies or certificates are in force, zero or 0 percent
52 credibility shall be given. Linear interpolation is used for in
53 force amounts between the low and high values. Florida-only
54 experience shall be used if it is 100 percent credible. If
55 Florida experience is not 100 percent credible, a combination of
56 Florida and nationwide experience shall be used. If Florida
57 experience is zero percent credible, nationwide experience shall
58 be used.

59
60 A Medicare supplement policy issued to an individual under
61 paragraph (a) or paragraph (b) may not exclude benefits based on
62 a preexisting condition if the individual has a continuous
63 period of creditable coverage, as defined in s. 627.6561(5), of
64 at least 6 months as of the date of application for coverage.

65
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete lines 3 - 6

69 and insert:



565354

70 F.S.; requiring that insurers issuing Medicare supplement
71 policies in this state offer the opportunity to enroll in a
72 Medicare supplement policies to certain individuals having a
73 disability or retinal disease; permitting insurers offering
74 Medicare supplement policies to effect a one-time rate schedule
75 change; authorizing insurers to propose a rate adjustment that
76 considers the experience of policies or certificates for persons
77 younger than 65 years of age; establishing credibility criteria
78 for the rate adjustment; providing an effective