
By: **Delegates Cadden and Sophocleus**

Introduced and read first time: February 6, 2003

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Continuation of Coverage - Students**

3 FOR the purpose of requiring certain children, grandchildren, and individuals under
4 guardianship to continue to be covered under certain individual or group health
5 insurance policies, contracts issued by nonprofit health service plans, and
6 contracts issued by health maintenance organizations, notwithstanding any
7 limiting age stated in the policies or contracts; requiring coverage to continue
8 until a certain date; providing that coverage may not extend beyond a certain
9 date; establishing certain eligibility requirements; and generally relating to
10 health insurance coverage.

11 BY adding to

12 Article - Health - General

13 Section 19-706(zz)

14 Annotated Code of Maryland

15 (2000 Replacement Volume and 2002 Supplement)

16 BY adding to

17 Article - Insurance

18 Section 15-402.1

19 Annotated Code of Maryland

20 (2002 Replacement Volume and 2002 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Health - General**

24 19-706.

25 (ZZ) THE PROVISIONS OF § 15-402.1 OF THE INSURANCE ARTICLE APPLY TO
26 HEALTH MAINTENANCE ORGANIZATIONS.

Article - Insurance

15-402.1.

(A) THIS SECTION APPLIES TO:

(1) EACH INDIVIDUAL OR GROUP HEALTH INSURANCE POLICY THAT IS
ISSUED IN THE STATE;

(2) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A NONPROFIT
HEALTH SERVICE PLAN; AND

(3) EACH CONTRACT FOR HOSPITAL, MEDICAL, OR SURGICAL BENEFITS
THAT IS ISSUED IN THE STATE BY A HEALTH MAINTENANCE ORGANIZATION.

(B) NOTWITHSTANDING ANY LIMITING AGE STATED IN A POLICY OR
CONTRACT SUBJECT TO THIS SECTION, A CHILD, GRANDCHILD, OR INDIVIDUAL FOR
WHOM GUARDIANSHIP IS GRANTED BY COURT OR TESTAMENTARY APPOINTMENT
SHALL CONTINUE TO BE COVERED UNDER THE POLICY OR CONTRACT AS A
DEPENDENT OF AN EMPLOYEE, MEMBER, OR OTHER COVERED INDIVIDUAL IF THE
CHILD, GRANDCHILD, OR INDIVIDUAL UNDER GUARDIANSHIP:

(1) IS UNMARRIED;

(2) IS CHIEFLY DEPENDENT FOR SUPPORT ON THE EMPLOYEE, MEMBER,
OR OTHER COVERED INDIVIDUAL; AND

(3) AT THE TIME OF REACHING THE LIMITING AGE, IS COVERED BY THE
POLICY OR CONTRACT BECAUSE THE CHILD, GRANDCHILD, OR INDIVIDUAL UNDER
GUARDIANSHIP IS ATTENDING AN ACCREDITED EDUCATIONAL INSTITUTION FULL
TIME, BUT IS TEMPORARILY UNABLE TO RETURN TO THE EDUCATIONAL
INSTITUTION FULL TIME DUE TO AN ILLNESS, INJURY, IMPAIRMENT, OR PHYSICAL
OR MENTAL CONDITION THAT REQUIRES CONTINUING TREATMENT BY A PHYSICIAN.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CHILD,
GRANDCHILD, OR INDIVIDUAL UNDER GUARDIANSHIP WHO IS ELIGIBLE FOR
COVERAGE UNDER SUBSECTION (B) OF THIS SECTION SHALL CONTINUE TO BE
COVERED UNTIL THE EARLIEST OF:

(I) 1 YEAR FROM THE DATE ON WHICH THE CHILD, GRANDCHILD,
OR INDIVIDUAL UNDER GUARDIANSHIP BECAME UNABLE TO RETURN TO THE
EDUCATIONAL INSTITUTION FULL TIME DUE TO AN ILLNESS, INJURY, IMPAIRMENT,
OR PHYSICAL OR MENTAL CONDITION; OR

(II) THE DATE THE CHILD, GRANDCHILD, OR INDIVIDUAL UNDER
GUARDIANSHIP REACHES THE AGE OF 25 YEARS.

(2) THE COVERAGE REQUIRED UNDER THIS SECTION MAY NOT EXTEND
BEYOND THE DATE ON WHICH THE COVERAGE ON THE EMPLOYEE, MEMBER, OR

1 OTHER COVERED INDIVIDUAL ON WHOM THE CHILD, GRANDCHILD, OR INDIVIDUAL
2 UNDER GUARDIANSHIP IS DEPENDENT TERMINATES.

3 (D) TO BE ELIGIBLE FOR COVERAGE UNDER THIS SECTION:

4 (1) A GRANDCHILD MUST BE A DEPENDENT AND IN THE
5 COURT-ORDERED CUSTODY OF THE EMPLOYEE, MEMBER, OR OTHER COVERED
6 INDIVIDUAL; AND

7 (2) AN INDIVIDUAL MUST BE A DEPENDENT AND IN THE CUSTODY OF
8 THE EMPLOYEE, MEMBER, OR OTHER COVERED INDIVIDUAL AS A RESULT OF A
9 GUARDIANSHIP, OTHER THAN A TEMPORARY GUARDIANSHIP OF LESS THAN 12
10 MONTHS' DURATION, GRANTED BY COURT OR TESTAMENTARY APPOINTMENT.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2003.