

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Universal Paid Leave Amendment Act of 2016 to prohibit insurers from reducing short-term disability benefits based on actual or estimated paid leave benefits, regardless of the jurisdiction in which the policy was issued or written; and to amend Title I of the Insurance Trade and Economic Development Amendment Act of 2000 to enable the Department of Insurance, Securities, and Banking to enforce the prohibition of offsetting or reducing benefits under a short-term disability insurance policy based on estimated or actual benefits received under the Universal Paid Leave Amendment Act of 2016, regardless of the jurisdiction in which the policy was issued or written.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Short-term Disability Insurance Benefit Protection Clarification Emergency Amendment Act of 2022”.

Sec. 2. Section 107(j)(1) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.07(j)(1)), is amended to read as follows:

“(1) No insurer may offset or reduce benefits or income available to an eligible individual under an individual or group policy for temporary or short-term disability insurance based on estimated or actual benefits the eligible individual may or does receive under this act, regardless of the jurisdiction in which the policy was issued, executed, written, or delivered.

Sec. 3. Section 120a the Insurance Trade and Economic Development Amendment Act of 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.20a), is amended as follows:

(a) Subsection (a) is amended to read as follows:

“(a) No insurer may offset or reduce benefits or income available to an eligible individual under an individual or group policy for temporary or short-term disability insurance based on estimated or actual benefits the eligible individual may or does receive under the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code §

32-541.01 *et seq.*), regardless of the jurisdiction in which the policy was issued, executed, written, or delivered.

(b) Subsection (c) is amended to read as follows:

“(c) For the purposes of this section, the term:

“(1) “Eligible individual” shall have the same meaning as provided in section 101(6) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01(6)).

“(2) “Self-insured employer” shall have the same meaning as provided in section 101(19A) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01(19A)).”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia