

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6945
BILL NUMBER: SB 215

NOTE PREPARED: Feb 2, 2024
BILL AMENDED: Jan 29, 2024

SUBJECT: Medicare Supplement Insurance.

FIRST AUTHOR: Sen. Walker K
FIRST SPONSOR: Rep. Carbaugh

BILL STATUS: As Passed Senate

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: The bill provides that after December 31, 2024, an issuer that makes a Medicare supplement policy or certificate available to persons at least 65 years old must make the equivalent policy or certificate available to an individual under the age of 65 who is eligible for Medicare because of having a federally defined disability or end stage renal disease.

(Under current law, an issuer that makes a Medicare supplement policy or certificate available to persons at least 65 years old is required only to make a Plan A policy or certificate available to individuals under the age of 65, and is required to make the Plan A policy or certificate available to an individual under 65 who is eligible for Medicare because of having a federally defined disability but is not required to make the Plan A policy or certificate available to an individual under 65 who is eligible for Medicare because of having end stage renal disease.)

It also provides that if an individual who less than 65 years old, who is eligible for Medicare because of having a federally defined disability or end stage renal disease, and who meets certain conditions as to application timeliness applies for a Medicare supplement policy or certificate, the issuer of the policy or certificate is prohibited from:

- (1) denying or conditioning the issuance or effectiveness of the individual's policy or certificate;
- (2) charging the individual a premium rate higher than the premium rate the issuer charges an individual 65 years of age; or
- (3) issuing to the individual a policy or certificate that contains a waiting period or a preexisting condition limitation or exclusion.

The bill provides for the expiration of Code provisions that would be superseded by the new requirements applying to issuers of Medicare supplement policies or certificates.

Effective Date: July 1, 2024.

Explanation of State Expenditures:

Explanation of State Revenues: *Insurance Premium Tax Revenue:* If additional individuals who are under 65 years old and are eligible to enroll in Medicare due to a disability or have end-stage renal disease are able to enroll in Medicare supplemental policies, premium collections in the state could increase and revenue to the state General Fund from the corporate Adjusted Gross Income Tax or the Insurance Premium Tax would increase.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources: <https://www.medicare.gov/medicare-savings-programs>; FSSA.

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