

HOUSE BILL No. 1590

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-1; IC 27-8.

Synopsis: Short term health insurance plans. Requires the department of insurance to adopt rules to define a short term health insurance plan as a contract with an expiration date less than 12 months after the original effective date of the contract and renewals for not more than the greater of 36 months or the maximum period permitted under federal law. Amends current provisions exempting short term health insurance from accident and sickness insurance policy requirements to provide for the greater of 36 months or the maximum number of renewals allowed by federal law, and a duration of less than 12 months.

Effective: July 1, 2019.

DeVon

January 22, 2019, read first time and referred to Committee on Insurance.



Introduced

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1590

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-1-3-7, AS AMENDED BY P.L.278-2013,
2 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 7. (a) The department may promulgate rules and
4 regulations for any of the following enumerated purposes:
5 (1) For the conduct of the work of the department.
6 (2) Prescribing the methods and standards to be used in making
7 the examinations and prescribing the forms of reports of the
8 several insurance companies to which IC 27-1 is applicable.
9 (3) Defining what is a safe or an unsafe manner and a safe or an
10 unsafe condition for conducting business by any insurance
11 company to which IC 27-1 is applicable.
12 (4) For the establishment of safe and sound methods for the
13 transaction of business by such insurance companies and for the
14 purpose of safeguarding the interests of policyholders, creditors,
15 and shareholders respecting the withdrawal or payment of funds
16 by any life insurance company in times of emergency. Any rule or
17 regulation promulgated under this subdivision may apply to one

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- 1 (1) or more insurance companies as the department may
 2 determine.
- 3 (5) For the administration and termination of the affairs of any
 4 such insurance company which is in involuntary liquidation or
 5 whose business and property have been taken possession of by the
 6 department for the purpose of rehabilitation, liquidation,
 7 conservation, or dissolution under IC 27-1.
- 8 (6) For the regulation of the solicitation or use of proxies, in
 9 general and as they concern consents or authorizations, in respect
 10 of securities issued by any domestic stock company for the
 11 purpose of protecting investors by prescribing the form of proxies,
 12 including such consents or authorizations, and by requiring
 13 adequate disclosure of information relevant to such proxies,
 14 including such consents or authorizations, and relevant to the
 15 business to be transacted at any meeting of shareholders with
 16 respect to which such proxies, including such consents or
 17 authorizations, may be used, which regulations may, in general,
 18 conform to those prescribed by the National Association of
 19 Insurance Commissioners.
- 20 (7) For regulation related to a health benefit exchange established
 21 under the federal Patient Protection and Affordable Care Act (P.L.
 22 111-148), as amended by the federal Health Care and Education
 23 Reconciliation Act of 2010 (P.L. 111-152), and operating in
 24 Indiana.
- 25 (b) The department may adopt a rule under IC 4-22-2 to provide
 26 reasonable simplification of the terms and coverage of individual and
 27 group Medicare supplement accident and sickness insurance policies
 28 and individual and group Medicare supplement subscriber contracts in
 29 order to facilitate public understanding and comparison and to
 30 eliminate provisions contained in those policies or contracts which may
 31 be misleading or confusing in connection either with the purchase of
 32 those coverages or with the settlement of claims and to provide for full
 33 disclosure in the sale of those coverages.
- 34 **(c) The department shall adopt rules under IC 4-22-2 specifying**
 35 **that a "short term insurance plan" means health insurance**
 36 **coverage under a contract that:**
- 37 **(1) has an expiration date less than twelve (12) months after**
 38 **the original contract effective date; and**
- 39 **(2) may be renewed for the greater of:**
- 40 **(A) thirty-six (36) months; or**
- 41 **(B) the maximum period permitted under federal law.**
- 42 SECTION 2. IC 27-1-37.3-5, AS ADDED BY P.L.55-2008,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 5. (a) As used in this chapter, "health plan" means
3 a plan through which coverage is provided for health care services
4 through insurance, prepayment, reimbursement, or otherwise. The term
5 includes the following:

6 (1) An employee welfare benefit plan (as defined in 29 U.S.C.
7 1002 et seq.).

8 (2) A policy of accident and sickness insurance (as defined in
9 IC 27-8-5-1).

10 (3) An individual contract (as defined in IC 27-13-1-21) or a
11 group contract (as defined in IC 27-13-1-16).

12 (b) The term does not include the following:

13 (1) Accident-only, credit, Medicare supplement, long term care,
14 or disability income insurance.

15 (2) Coverage issued as a supplement to liability insurance.

16 (3) Worker's compensation or similar insurance.

17 (4) Automobile medical payment insurance.

18 (5) A specified disease policy issued as an individual policy.

19 (6) A short term insurance plan that:

20 (A) may ~~not~~ be renewed **for the greater of:**

21 **(i) thirty-six (36) months; or**

22 **(ii) the maximum period permitted under federal law;**

23 and

24 (B) has a duration of ~~not more less than six (6) twelve (12)~~
25 months.

26 (7) A policy that provides a stipulated daily, weekly, or monthly
27 payment to an insured during hospital confinement, without
28 regard to the actual expense of the confinement.

29 SECTION 3. IC 27-8-5-2.5, AS AMENDED BY P.L.3-2008,
30 SECTION 212, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2019]: Sec. 2.5. (a) As used in this section, the
32 term "policy of accident and sickness insurance" does not include the
33 following:

34 (1) Accident only, credit, dental, vision, Medicare supplement,
35 long term care, or disability income insurance.

36 (2) Coverage issued as a supplement to liability insurance.

37 (3) Automobile medical payment insurance.

38 (4) A specified disease policy.

39 (5) A short term insurance plan that:

40 (A) may ~~not~~ be renewed **for the greater of:**

41 **(i) thirty-six (36) months; or**

42 **(ii) the maximum period permitted under federal law;**



- 1 and
- 2 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
- 3 months.
- 4 (6) A policy that provides indemnity benefits not based on any
- 5 expense incurred requirement, including a plan that provides
- 6 coverage for:
- 7 (A) hospital confinement, critical illness, or intensive care; or
- 8 (B) gaps for deductibles or copayments.
- 9 (7) Worker's compensation or similar insurance.
- 10 (8) A student health plan.
- 11 (9) A supplemental plan that always pays in addition to other
- 12 coverage.
- 13 (10) An employer sponsored health benefit plan that is:
- 14 (A) provided to individuals who are eligible for Medicare; and
- 15 (B) not marketed as, or held out to be, a Medicare supplement
- 16 policy.
- 17 (b) The benefits provided by:
- 18 (1) an individual policy of accident and sickness insurance; or
- 19 (2) a certificate of coverage that is issued under a nonemployer
- 20 based association group policy of accident and sickness insurance
- 21 to an individual who is a resident of Indiana;
- 22 may not be excluded, limited, or denied for more than twelve (12)
- 23 months after the effective date of the coverage because of a preexisting
- 24 condition of the individual.
- 25 (c) An individual policy of accident and sickness insurance or a
- 26 certificate of coverage described in subsection (b) may not define a
- 27 preexisting condition, a rider, or an endorsement more restrictively
- 28 than as:
- 29 (1) a condition that would have caused an ordinarily prudent
- 30 person to seek medical advice, diagnosis, care, or treatment
- 31 during the twelve (12) months immediately preceding the
- 32 effective date of the plan;
- 33 (2) a condition for which medical advice, diagnosis, care, or
- 34 treatment was recommended or received during the twelve (12)
- 35 months immediately preceding the effective date of the plan; or
- 36 (3) a pregnancy existing on the effective date of the plan.
- 37 (d) An insurer shall reduce the period allowed for a preexisting
- 38 condition exclusion described in subsection (b) by the amount of time
- 39 the individual has continuously served under a preexisting condition
- 40 clause for a policy of accident and sickness insurance issued under
- 41 IC 27-8-15 if the individual applies for a policy under this chapter not
- 42 more than thirty (30) days after coverage under a policy of accident and



1 sickness insurance issued under IC 27-8-15 expires.

2 SECTION 4. IC 27-8-5-15.6, AS AMENDED BY P.L.173-2007,
3 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2019]: Sec. 15.6. (a) As used in this section, "coverage of
5 services for a mental illness" includes the services defined under the
6 policy of accident and sickness insurance. However, the term does not
7 include services for the treatment of substance abuse or chemical
8 dependency.

9 (b) This section applies to a policy of accident and sickness
10 insurance that:

- 11 (1) is issued on an individual basis or a group basis;
- 12 (2) is issued, entered into, or renewed after December 31, 1999;
- 13 and
- 14 (3) is issued to an employer that employs more than fifty (50)
15 full-time employees.

16 (c) This section does not apply to the following:

- 17 (1) A legal business entity that has obtained an exemption under
18 section 15.7 of this chapter.
- 19 (2) Accident only, credit, dental, vision, Medicare supplement,
20 long term care, or disability income insurance.
- 21 (3) Coverage issued as a supplement to liability insurance.
- 22 (4) Worker's compensation or similar insurance.
- 23 (5) Automobile medical payment insurance.
- 24 (6) A specified disease policy.
- 25 (7) A short term insurance plan that:
 - 26 (A) may ~~not~~ be renewed **for the greater of:**
 - 27 **(i) thirty-six (36) months; or**
 - 28 **(ii) the maximum period permitted under federal law;**
 - 29 and
 - 30 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
31 months.
- 32 (8) A policy that provides indemnity benefits not based on any
33 expense incurred requirement, including a plan that provides
34 coverage for:
 - 35 (A) hospital confinement, critical illness, or intensive care; or
 - 36 (B) gaps for deductibles or copayments.
- 37 (9) A supplemental plan that always pays in addition to other
38 coverage.
- 39 (10) A student health plan.
- 40 (11) An employer sponsored health benefit plan that is:
 - 41 (A) provided to individuals who are eligible for Medicare; and
 - 42 (B) not marketed as, or held out to be, a Medicare supplement



1 policy.

2 (d) A group or individual insurance policy or agreement may not
3 permit treatment limitations or financial requirements on the coverage
4 of services for a mental illness if similar limitations or requirements are
5 not imposed on the coverage of services for other medical or surgical
6 conditions.

7 (e) An insurer that issues a policy of accident and sickness
8 insurance that provides coverage of services for the treatment of
9 substance abuse and chemical dependency when the services are
10 required in the treatment of a mental illness shall offer to provide the
11 coverage without treatment limitations or financial requirements if
12 similar limitations or requirements are not imposed on the coverage of
13 services for other medical or surgical conditions.

14 (f) This section does not require a group or individual insurance
15 policy or agreement to offer mental health benefits.

16 (g) The benefits delivered under this section may be delivered under
17 a managed care system.

18 SECTION 5. IC 27-8-5-27, AS AMENDED BY P.L.173-2007,
19 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 27. (a) As used in this section, "accident and
21 sickness insurance policy" means an insurance policy that provides at
22 least one (1) of the types of insurance described in IC 27-1-5-1, Classes
23 1(b) and 2(a), and is issued on a group basis. The term does not include
24 the following:

25 (1) Accident only, credit, dental, vision, Medicare supplement,
26 long term care, or disability income insurance.

27 (2) Coverage issued as a supplement to liability insurance.

28 (3) Automobile medical payment insurance.

29 (4) A specified disease policy.

30 (5) A short term insurance plan that:

31 (A) may ~~not~~ be renewed **for the greater of:**

32 **(i) thirty-six (36) months; or**

33 **(ii) the maximum period permitted under federal law;**
34 and

35 (B) has a duration of ~~not more less than six (6) twelve (12)~~
36 months.

37 (6) A policy that provides indemnity benefits not based on any
38 expense incurred requirement, including a plan that provides
39 coverage for:

40 (A) hospital confinement, critical illness, or intensive care; or

41 (B) gaps for deductibles or copayments.

42 (7) Worker's compensation or similar insurance.



- 1 (8) A student health plan.
- 2 (9) A supplemental plan that always pays in addition to other
3 coverage.
- 4 (10) An employer sponsored health benefit plan that is:
5 (A) provided to individuals who are eligible for Medicare; and
6 (B) not marketed as, or held out to be, a Medicare supplement
7 policy.
- 8 (b) As used in this section, "insured" means a child or an individual
9 with a disability who is entitled to coverage under an accident and
10 sickness insurance policy.
- 11 (c) As used in this section, "child" means an individual who is less
12 than nineteen (19) years of age.
- 13 (d) As used in this section, "individual with a disability" means an
14 individual:
15 (1) with a physical or mental impairment that substantially limits
16 one (1) or more of the major life activities of the individual; and
17 (2) who:
18 (A) has a record of; or
19 (B) is regarded as;
20 having an impairment described in subdivision (1).
- 21 (e) A policy of accident and sickness insurance must include
22 coverage for anesthesia and hospital charges for dental care for an
23 insured if the mental or physical condition of the insured requires
24 dental treatment to be rendered in a hospital or an ambulatory
25 outpatient surgical center. The Indications for General Anesthesia, as
26 published in the reference manual of the American Academy of
27 Pediatric Dentistry, are the utilization standards for determining
28 whether performing dental procedures necessary to treat the insured's
29 condition under general anesthesia constitutes appropriate treatment.
- 30 (f) An insurer that issues a policy of accident and sickness insurance
31 may:
32 (1) require prior authorization for hospitalization or treatment in
33 an ambulatory outpatient surgical center for dental care
34 procedures in the same manner that prior authorization is required
35 for hospitalization or treatment of other covered medical
36 conditions; and
37 (2) restrict coverage to include only procedures performed by a
38 licensed dentist who has privileges at the hospital or ambulatory
39 outpatient surgical center.
- 40 (g) This section does not apply to treatment rendered for temporal
41 mandibular joint disorders (TMJ).
- 42 SECTION 6. IC 27-8-5.6-1, AS AMENDED BY P.L.86-2018,



1 SECTION 207, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) As used in this chapter, the
 3 term "accident and sickness insurance" means any policy or contract
 4 covering one (1) or more of the kinds of insurance described in classes
 5 1(b) or 2(a) of IC 27-1-5-1, as governed by IC 27-8-5.

6 (b) The term does not include the following:

7 (1) Accident only, credit, dental, vision, Medicare supplement,
 8 long term care, or disability income insurance.

9 (2) Coverage issued as a supplement to liability insurance.

10 (3) Worker's compensation or similar insurance.

11 (4) Automobile medical payment insurance.

12 (5) A specified disease policy.

13 (6) A short term insurance plan that:

14 (A) may ~~not~~ be renewed **for the greater of:**

15 **(i) thirty-six (36) months; or**

16 **(ii) the maximum period permitted under federal law;**

17 and

18 (B) has a duration of ~~not more less than six (6) twelve (12)~~
 19 months.

20 (7) A policy that provides indemnity benefits not based on any
 21 expense incurred requirement, including a plan that provides
 22 coverage for:

23 (A) hospital confinement, critical illness, or intensive care; or

24 (B) gaps for deductibles or copayments.

25 (8) A supplemental plan that always pays in addition to other
 26 coverage.

27 (9) A student health plan.

28 (10) An employer sponsored health benefit plan that is:

29 (A) provided to individuals who are eligible for Medicare; and

30 (B) not marketed as, or held out to be, a Medicare supplement
 31 policy.

32 SECTION 7. IC 27-8-5.8-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. As used in this
 34 chapter, "accident and sickness insurance policy" means an insurance
 35 policy that provides at least one (1) of the types of insurance described
 36 in IC 27-1-5-1, Classes 1(b) and 2(a), and is issued on a group basis.
 37 The term does not include the following:

38 (1) Accident only, credit, dental, vision, Medicare, Medicare
 39 supplement, long term care, or disability income insurance.

40 (2) Coverage issued as a supplement to liability insurance.

41 (3) Automobile medical payment insurance.

42 (4) A specified disease policy.



- 1 (5) A limited benefit health insurance policy.
 2 (6) A short term insurance plan that:
 3 (A) may ~~not~~ be renewed **for the greater of:**
 4 **(i) thirty-six (36) months; or**
 5 **(ii) the maximum period permitted under federal law;**
 6 and
 7 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
 8 months.
 9 (7) A policy that provides a stipulated daily, weekly, or monthly
 10 payment to an insured during hospital confinement, without
 11 regard to the actual expense of the confinement.
 12 (8) Worker's compensation or similar insurance.
 13 (9) A student health insurance policy.
- 14 SECTION 8. IC 27-8-6-6, AS ADDED BY P.L.133-2011,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2019]: Sec. 6. (a) As used in this section, "policy of accident
 17 and sickness insurance" has the meaning set forth in IC 27-8-5-1.
 18 However, the term does not include the following:
 19 (1) Accident only, credit, dental, vision, Medicare supplement,
 20 long term care, or disability income insurance.
 21 (2) Coverage issued as a supplement to liability insurance.
 22 (3) Automobile medical payment insurance.
 23 (4) A specified disease policy.
 24 (5) A short term insurance plan that:
 25 (A) may ~~not~~ be renewed **for the greater of:**
 26 **(i) thirty-six (36) months; or**
 27 **(ii) the maximum period permitted under federal law;**
 28 and
 29 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
 30 months.
 31 (6) A policy that provides indemnity benefits not based on any
 32 expense incurred requirement, including a plan that provides
 33 coverage for:
 34 (A) hospital confinement, critical illness, or intensive care; or
 35 (B) gaps for deductibles or copayments.
 36 (7) A supplemental plan that always pays in addition to other
 37 coverage.
 38 (b) A policy of accident and sickness insurance that provides
 39 coverage for physical medicine and rehabilitative services shall provide
 40 the coverage for physical medicine and rehabilitative services that are:
 41 (1) rendered by an athletic trainer who is licensed under
 42 IC 25-5.1; and



- 1 (2) within the athletic trainer's scope of practice.
- 2 (c) This section does not require a policy of accident and sickness
3 insurance to provide coverage for physical medicine or rehabilitative
4 services generally.
- 5 SECTION 9. IC 27-8-13.4-1, AS ADDED BY P.L.124-2014,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
8 sickness insurance policy" means an insurance policy that:
- 9 (1) provides one (1) or more of the types of insurance described
10 in IC 27-1-5-1, Class 1(b) and Class 2(a); and
11 (2) is issued on a group or individual basis.
- 12 (b) As used in this chapter, "accident and sickness insurance policy"
13 does not include the following:
- 14 (1) Accident only, credit, dental, vision, Medicare supplement,
15 long term care, or disability income insurance.
16 (2) Coverage issued as a supplement to liability insurance.
17 (3) Worker's compensation or similar insurance.
18 (4) Automobile medical payment insurance.
19 (5) A specified disease policy.
20 (6) A short term insurance plan that:
- 21 (A) may ~~not~~ be renewed **for the greater of:**
22 **(i) thirty-six (36) months; or**
23 **(ii) the maximum period permitted under federal law;**
24 and
25 (B) has a duration of ~~not more less than six (6) twelve (12)~~
26 months.
- 27 (7) A policy that provides indemnity benefits not based on any
28 expense incurred requirement, including a plan that provides
29 coverage for:
- 30 (A) hospital confinement, critical illness, or intensive care; or
31 (B) gaps for deductibles or copayments.
- 32 (8) A supplemental plan that always pays in addition to other
33 coverage.
- 34 (9) An employer sponsored health benefit plan that is:
- 35 (A) provided to individuals who are eligible for Medicare; and
36 (B) not marketed as, or held out to be, a Medicare supplement
37 policy.
- 38 SECTION 10. IC 27-8-13.5-4, AS ADDED BY P.L.126-2013,
39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2019]: Sec. 4. As used in this chapter, "policy of accident and
41 sickness insurance" has the meaning set forth in IC 27-8-5-1. The term
42 does not include the following:



- 1 (1) Accident only, credit, dental, vision, Medicare supplement,
 2 long term care, or disability income insurance.
 3 (2) Coverage issued as a supplement to liability insurance.
 4 (3) Automobile medical payment insurance.
 5 (4) A specified disease policy.
 6 (5) A short term insurance plan that:
 7 (A) may ~~not~~ be renewed **for the greater of:**
 8 **(i) thirty-six (36) months; or**
 9 **(ii) the maximum period permitted under federal law;**
 10 and
 11 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
 12 months.
 13 (6) A policy that provides indemnity benefits not based on any
 14 expense incurred requirement, including a plan that provides
 15 coverage for:
 16 (A) hospital confinement, critical illness, or intensive care; or
 17 (B) gaps for deductibles or copayments.
 18 (7) Worker's compensation or similar insurance.
 19 (8) A student health plan.
 20 (9) A supplemental plan that always pays in addition to other
 21 coverage.
 22 (10) An employer sponsored health benefit plan that is:
 23 (A) provided to individuals who are eligible for Medicare; and
 24 (B) not marketed as, or held out to be, a Medicare supplement
 25 policy.
- 26 SECTION 11. IC 27-8-14-1, AS AMENDED BY P.L.173-2007,
 27 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
 29 sickness insurance policy" means an insurance policy that:
 30 (1) provides one (1) or more of the types of insurance described
 31 in IC 27-1-5-1, classes 1(b) and 2(a); and
 32 (2) is issued on a group basis.
 33 (b) The term does not include the following:
 34 (1) Accident only, credit, dental, vision, Medicare supplement,
 35 long term care, or disability income insurance.
 36 (2) Coverage issued as a supplement to liability insurance.
 37 (3) Worker's compensation or similar insurance.
 38 (4) Automobile medical payment insurance.
 39 (5) A specified disease policy.
 40 (6) A short term insurance plan that:
 41 (A) may ~~not~~ be renewed **for the greater of:**
 42 **(i) thirty-six (36) months; or**



- 1 (ii) the maximum period permitted under federal law;
2 and
3 (B) has a duration of ~~not more less~~ than ~~six (6)~~ **twelve (12)**
4 months.
5 (7) A policy that provides indemnity benefits not based on any
6 expense incurred requirement, including a plan that provides
7 coverage for:
8 (A) hospital confinement, critical illness, or intensive care; or
9 (B) gaps for deductibles or copayments.
10 (8) A supplemental plan that always pays in addition to other
11 coverage.
12 (9) A student health plan.
13 (10) An employer sponsored health benefit plan that is:
14 (A) provided to individuals who are eligible for Medicare; and
15 (B) not marketed as, or held out to be, a Medicare supplement
16 policy.
- 17 SECTION 12. IC 27-8-14.1-1, AS AMENDED BY P.L.173-2007,
18 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
20 sickness insurance policy" means an insurance policy that:
21 (1) provides one (1) or more of the types of insurance described
22 in IC 27-1-5-1, classes 1(b) and 2(a); and
23 (2) is issued on a group basis.
24 (b) As used in this chapter, "accident and sickness insurance policy"
25 does not include the following:
26 (1) Accident only, credit, dental, vision, Medicare supplement,
27 long term care, or disability income insurance.
28 (2) Coverage issued as a supplement to liability insurance.
29 (3) Worker's compensation or similar insurance.
30 (4) Automobile medical payment insurance.
31 (5) A specified disease policy.
32 (6) A short term insurance plan that:
33 (A) may ~~not~~ be renewed **for the greater of:**
34 **(i) thirty-six (36) months; or**
35 **(ii) the maximum period permitted under federal law;**
36 and
37 (B) has a duration of ~~not more less~~ than ~~six (6)~~ **twelve (12)**
38 months.
39 (7) A policy that provides indemnity benefits not based on any
40 expense incurred requirement, including a plan that provides
41 coverage for:
42 (A) hospital confinement, critical illness, or intensive care; or



- 1 (B) gaps for deductibles or copayments.
- 2 (8) A supplemental plan that always pays in addition to other
- 3 coverage.
- 4 (9) A student health plan.
- 5 (10) An employer sponsored health benefit plan that is:
- 6 (A) provided to individuals who are eligible for Medicare; and
- 7 (B) not marketed as, or held out to be, a Medicare supplement
- 8 policy.
- 9 SECTION 13. IC 27-8-14.2-1, AS AMENDED BY P.L.173-2007,
- 10 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
- 12 sickness insurance policy" means an insurance policy that provides one
- 13 (1) or more of the types of insurance described in IC 27-1-5-1, classes
- 14 1(b) and 2(a).
- 15 (b) The term does not include the following:
- 16 (1) Accident only, credit, dental, vision, Medicare supplement,
- 17 long term care, or disability income insurance.
- 18 (2) Coverage issued as a supplement to liability insurance.
- 19 (3) Worker's compensation or similar insurance.
- 20 (4) Automobile medical payment insurance.
- 21 (5) A specified disease policy.
- 22 (6) A short term insurance plan that:
- 23 (A) may ~~not~~ be renewed **for the greater of:**
- 24 **(i) thirty-six (36) months; or**
- 25 **(ii) the maximum period permitted under federal law;**
- 26 and
- 27 (B) has a duration of ~~not more less than six (6) twelve (12)~~
- 28 months.
- 29 (7) A policy that provides indemnity benefits not based on any
- 30 expense incurred requirement, including a plan that provides
- 31 coverage for:
- 32 (A) hospital confinement, critical illness, or intensive care; or
- 33 (B) gaps for deductibles or copayments.
- 34 (8) A supplemental plan that always pays in addition to other
- 35 coverage.
- 36 (9) A student health plan.
- 37 (10) An employer sponsored health benefit plan that is:
- 38 (A) provided to individuals who are eligible for Medicare; and
- 39 (B) not marketed as, or held out to be, a Medicare supplement
- 40 policy.
- 41 SECTION 14. IC 27-8-14.5-1, AS AMENDED BY P.L.173-2007,
- 42 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "health insurance
2 plan" means any:

- 3 (1) hospital or medical expense incurred policy or certificate;
- 4 (2) hospital or medical service plan contract; or
- 5 (3) health maintenance organization subscriber contract;

6 provided to an insured.

7 (b) The term does not include the following:

- 8 (1) Accident only, credit, dental, vision, Medicare supplement,
9 long term care, or disability income insurance.
- 10 (2) Coverage issued as a supplement to liability insurance.
- 11 (3) Worker's compensation or similar insurance.
- 12 (4) Automobile medical payment insurance.
- 13 (5) A specified disease policy.
- 14 (6) A short term insurance plan that:

15 (A) may ~~not~~ be renewed **for the greater of:**

16 **(i) thirty-six (36) months; or**

17 **(ii) the maximum period permitted under federal law;**

18 and

19 (B) has a duration of ~~not more less than six (6) twelve (12)~~
20 months.

21 (7) A policy that provides indemnity benefits not based on any
22 expense incurred requirement, including a plan that provides
23 coverage for:

- 24 (A) hospital confinement, critical illness, or intensive care; or
- 25 (B) gaps for deductibles or copayments.

26 (8) A supplemental plan that always pays in addition to other
27 coverage.

28 (9) A student health plan.

29 (10) An employer sponsored health benefit plan that is:

- 30 (A) provided to individuals who are eligible for Medicare; and
- 31 (B) not marketed as, or held out to be, a Medicare supplement
32 policy.

33 SECTION 15. IC 27-8-14.7-1, AS AMENDED BY P.L.173-2007,
34 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
36 sickness insurance policy" means an insurance policy that:

- 37 (1) provides at least one (1) of the types of insurance described in
38 IC 27-1-5-1, Classes 1(b) and 2(a); and
- 39 (2) is issued on a group basis.

40 (b) "Accident and sickness insurance policy" does not include the
41 following:

- 42 (1) Accident only, credit, dental, vision, Medicare supplement,



- 1 long term care, or disability income insurance.
 2 (2) Coverage issued as a supplement to liability insurance.
 3 (3) Worker's compensation or similar insurance.
 4 (4) Automobile medical payment insurance.
 5 (5) A specified disease policy.
 6 (6) A short term insurance plan that:
 7 (A) may ~~not~~ be renewed **for the greater of:**
 8 **(i) thirty-six (36) months; or**
 9 **(ii) the maximum period permitted under federal law;**
 10 and
 11 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
 12 months.
 13 (7) A policy that provides indemnity benefits not based on any
 14 expense incurred requirement, including a plan that provides
 15 coverage for:
 16 (A) hospital confinement, critical illness, or intensive care; or
 17 (B) gaps for deductibles or copayments.
 18 (8) A supplemental plan that always pays in addition to other
 19 coverage.
 20 (9) A student health plan.
 21 (10) An employer sponsored health benefit plan that is:
 22 (A) provided to individuals who are eligible for Medicare; and
 23 (B) not marketed as, or held out to be, a Medicare supplement
 24 policy.
 25 SECTION 16. IC 27-8-14.8-1, AS AMENDED BY P.L.173-2007,
 26 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
 28 sickness insurance policy" means an insurance policy that:
 29 (1) provides at least one (1) of the types of insurance described in
 30 IC 27-1-5-1, Classes 1(b) and 2(a); and
 31 (2) is issued on a group basis.
 32 (b) "Accident and sickness insurance policy" does not include the
 33 following:
 34 (1) Accident only, credit, dental, vision, Medicare supplement,
 35 long term care, or disability income insurance.
 36 (2) Coverage issued as a supplement to liability insurance.
 37 (3) Worker's compensation or similar insurance.
 38 (4) Automobile medical payment insurance.
 39 (5) A specified disease policy.
 40 (6) A short term insurance plan that:
 41 (A) may ~~not~~ be renewed **for the greater of:**
 42 **(i) thirty-six (36) months; or**



- 1 (ii) **the maximum period permitted under federal law;**
- 2 and
- 3 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
- 4 months.
- 5 (7) A policy that provides indemnity benefits not based on any
- 6 expense incurred requirement, including a plan that provides
- 7 coverage for:
- 8 (A) hospital confinement, critical illness, or intensive care; or
- 9 (B) gaps for deductibles or copayments.
- 10 (8) A supplemental plan that always pays in addition to other
- 11 coverage.
- 12 (9) A student health plan.
- 13 (10) An employer sponsored health benefit plan that is:
- 14 (A) provided to individuals who are eligible for Medicare; and
- 15 (B) not marketed as, or held out to be, a Medicare supplement
- 16 policy.
- 17 SECTION 17. IC 27-8-15-9, AS AMENDED BY P.L.11-2011,
- 18 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 2019]: Sec. 9. (a) Except as provided in section 28 of this
- 20 chapter, as used in this chapter, "health insurance plan" or "plan"
- 21 means any:
- 22 (1) hospital or medical expense incurred policy or certificate;
- 23 (2) hospital or medical service plan contract; or
- 24 (3) health maintenance organization subscriber contract;
- 25 provided to the employees of a small employer.
- 26 (b) The term does not include the following:
- 27 (1) Accident-only, credit, dental, vision, Medicare supplement,
- 28 long term care, or disability income insurance.
- 29 (2) Coverage issued as a supplement to liability insurance.
- 30 (3) Worker's compensation or similar insurance.
- 31 (4) Automobile medical payment insurance.
- 32 (5) A specified disease policy.
- 33 (6) A short term insurance plan that:
- 34 (A) may ~~not~~ be renewed **for the greater of:**
- 35 (i) **thirty-six (36) months; or**
- 36 (ii) **the maximum period permitted under federal law;**
- 37 and
- 38 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
- 39 months.
- 40 (7) A policy that provides indemnity benefits not based on any
- 41 expense incurred requirement, including a plan that provides
- 42 coverage for:



- 1 (A) hospital confinement, critical illness, or intensive care; or
- 2 (B) gaps for deductibles or copayments.
- 3 (8) A supplemental plan that always pays in addition to other
- 4 coverage.
- 5 (9) A student health plan.
- 6 (10) An employer sponsored health benefit plan that is:
- 7 (A) provided to individuals who are eligible for Medicare; and
- 8 (B) not marketed as, or held out to be, a Medicare supplement
- 9 policy.
- 10 SECTION 18. IC 27-8-24.1-1, AS AMENDED BY P.L.173-2007,
- 11 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
- 13 sickness insurance policy" means an insurance policy that provides at
- 14 least one (1) of the types of insurance described in IC 27-1-5-1, Classes
- 15 1(b) and 2(a), and is issued on a group basis.
- 16 (b) The term does not include the following:
- 17 (1) Accident only, credit, dental, vision, Medicare supplement,
- 18 long term care, or disability income insurance.
- 19 (2) Coverage issued as a supplement to liability insurance.
- 20 (3) Worker's compensation or similar insurance.
- 21 (4) Automobile medical payment insurance.
- 22 (5) A specified disease policy.
- 23 (6) A short term insurance plan that:
- 24 (A) may ~~not~~ be renewed **for the greater of:**
- 25 **(i) thirty-six (36) months; or**
- 26 **(ii) the maximum period permitted under federal law;**
- 27 and
- 28 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
- 29 months.
- 30 (7) A policy that provides indemnity benefits not based on any
- 31 expense incurred requirement, including a plan that provides
- 32 coverage for:
- 33 (A) hospital confinement, critical illness, or intensive care; or
- 34 (B) gaps for deductibles or copayments.
- 35 (8) A supplemental plan that always pays in addition to other
- 36 coverage.
- 37 (9) A student health plan.
- 38 (10) An employer sponsored health benefit plan that is:
- 39 (A) provided to individuals who are eligible for Medicare; and
- 40 (B) not marketed as, or held out to be, a Medicare supplement
- 41 policy.
- 42 SECTION 19. IC 27-8-24.2-3, AS ADDED BY P.L.109-2008,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 3. (a) As used in this chapter, "policy of accident
3 and sickness insurance" has the meaning set forth in IC 27-8-5-1.

4 (b) The term does not include the following:

- 5 (1) Accident only, credit, dental, vision, Medicare, Medicare
6 supplement, long term care, or disability income insurance.
- 7 (2) Coverage issued as a supplement to liability insurance.
- 8 (3) Automobile medical payment insurance.
- 9 (4) A specified disease policy.
- 10 (5) A limited benefit health insurance policy.
- 11 (6) A short term insurance plan that:
 - 12 (A) may ~~not~~ be renewed **for the greater of:**
 - 13 **(i) thirty-six (36) months; or**
 - 14 **(ii) the maximum period permitted under federal law;**
 - 15 and
 - 16 (B) has a duration of ~~not more less than six (6)~~ **twelve (12)**
17 months.
- 18 (7) A policy that provides a stipulated daily, weekly, or monthly
19 payment to an insured during hospital confinement, without
20 regard to the actual expense of the confinement.
- 21 (8) Worker's compensation or similar insurance.
- 22 (9) A student health insurance policy.

23 SECTION 20. IC 27-8-27-4 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) For purposes of
25 this chapter, "health insurance plan" means any:

- 26 (1) hospital or medical expense incurred policy or certificate;
- 27 (2) hospital or medical service plan contract; or
- 28 (3) health maintenance organization subscriber contract;

29 provided to an insured.

30 (b) The term does not include the following:

- 31 (1) Accident-only, credit, dental, Medicare supplement, long term
32 care, or disability income insurance.
- 33 (2) Coverage issued as a supplement to liability insurance.
- 34 (3) Worker's compensation or similar insurance.
- 35 (4) Automobile medical payment insurance.
- 36 (5) A specified disease policy issued as an individual policy.
- 37 (6) A limited benefit health insurance plan issued as an individual
38 policy.
- 39 (7) A short term insurance plan that:
 - 40 (A) may ~~not~~ be renewed **for the greater of:**
 - 41 **(i) thirty-six (36) months; or**
 - 42 **(ii) the maximum period permitted under federal law;**



- 1 and
- 2 (B) has a duration of **not more less than six (6) twelve (12)**
- 3 months.
- 4 (8) A policy that provides a stipulated daily, weekly, or monthly
- 5 payment to an insured during hospital confinement, without
- 6 regard to the actual expense of the confinement.
- 7 SECTION 21. IC 27-8-28-1 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) As used in this
- 9 chapter, "accident and sickness insurance policy" means an insurance
- 10 policy that provides one (1) or more of the kinds of insurance described
- 11 in Class 1(b) and 2(a) of IC 27-1-5-1.
- 12 (b) The term does not include the following:
- 13 (1) Accident only, credit, dental, vision, Medicare supplement,
- 14 long term care, or disability income insurance.
- 15 (2) Coverage issued as a supplement to liability insurance.
- 16 (3) Automobile medical payment insurance.
- 17 (4) A specified disease policy issued as an individual policy.
- 18 (5) A limited benefit health insurance policy issued as an
- 19 individual policy.
- 20 (6) A short term insurance plan that:
- 21 (A) may **not** be renewed **for the greater of:**
- 22 **(i) thirty-six (36) months; or**
- 23 **(ii) the maximum period permitted under federal law;**
- 24 and
- 25 (B) has a duration of **not more less than six (6) twelve (12)**
- 26 months.
- 27 (7) A policy that provides a stipulated daily, weekly, or monthly
- 28 payment to an insured during hospital confinement without regard
- 29 to the actual expense of the confinement.
- 30 (8) Worker's compensation or similar insurance.

