

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1190

Introduced by Lathrop, 12.

Read first time January 20, 2022

Committee:

- 1 A BILL FOR AN ACT relating to the Medicare Supplement Insurance Minimum
- 2 Standards Act; to amend section 44-3601, Reissue Revised Statutes of
- 3 Nebraska; to change provisions relating to requirements for issuers
- 4 of medicare supplement insurance policies or certificates and
- 5 coverage of individuals under sixty-five years of age who are
- 6 eligible for medicare by reason of disability; to harmonize
- 7 provisions; and to repeal the original section.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-3601, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 44-3601 Sections 44-3601 to 44-3610 and section 2 of this act shall
4 be known and may be cited as the Medicare Supplement Insurance Minimum
5 Standards Act.

6 Sec. 2. (1) Any issuer of medicare supplement policies or
7 certificates in this state, including policies or certificates issued on
8 an individual or group basis, or through a group trust, shall offer the
9 opportunity of enrolling in any of its issued medicare supplement
10 policies or certificates to any individual who (a) is a resident of this
11 state, (b) is under sixty-five years of age, (c) is eligible for medicare
12 by reason of disability, and (d) is enrolled in Part A and B of medicare
13 or will be so enrolled by the effective date of coverage.

14 (2) Such medicare supplement policies or certificates shall be
15 issued on a guaranteed renewable basis under which the issuer shall be
16 required to continue coverage as long as premiums are paid on the policy
17 or certificate. Such medicare supplement policies or certificates shall
18 be offered:

19 (a) Upon the request of the individual during the six-month period
20 beginning with the first month in which the individual is eligible for
21 medicare by reason of disability. For individuals who are retroactively
22 enrolled in Part B of medicare due to a retroactive eligibility decision
23 made by the Social Security Administration, the application shall be
24 submitted within a six-month period beginning with the month in which the
25 individual receives notification of the retroactive eligibility decision;
26 or

27 (b) Upon the request of the individual during the sixty-three-day
28 period following voluntary or involuntary termination of coverage under a
29 group health plan.

30 (3) The six-month period to enroll in a medicare supplement policy
31 or certificate for an individual who is under sixty-five years of age and

1 is otherwise eligible to enroll in a medicare supplement policy or
2 certificate by reason of disability under subsection (1) of this section
3 and who first enrolled in Part B of medicare prior to the effective date
4 of this act, shall begin on the effective date of this act.

5 (4) An issuer of medicare supplement policies or certificates in
6 this state shall not charge a rate for such policy or certificate to an
7 individual under sixty-five years of age who is eligible for medicare by
8 reason of disability that exceeds the rate charged for such policy or
9 certificate to an individual who qualifies for medicare by reason of age.

10 Sec. 3. Original section 44-3601, Reissue Revised Statutes of
11 Nebraska, is repealed.