

2020 -- H 7699

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LC005097  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Ruggiero, Shanley, Shekarchi, Barros, and McEntee

Date Introduced: February 26, 2020

Referred To: House Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance  
2 Policies" is hereby amended by adding thereto the following section:

3           **27-18-85. Health insurance contracts - Medicare option.**

4           (a) Every individual or group health insurance contract, or every individual or group  
5 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,  
6 or renewed in this state on or after January 1, 2021, may include a Medicare option available to any  
7 employee eligible for Medicare.

8           (b) The Medicare option may allow the employee to elect coverage under Medicare (part  
9 A or part B of title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.) for himself or herself;  
10 provided, however, that family members covered under the employer's health insurance policy or  
11 plan shall retain coverage during the duration of the employee's employment.

12           (c) The Medicare option contained in subsection (b) of this section can only be exercised  
13 by the employee at the discretion of the employer.

14           SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service  
15 Corporations" is hereby amended by adding thereto the following section:

16           **27-19-77. Health insurance contracts - Medicare option.**

17           (a) Every individual or group health insurance contract, or every individual or group  
18 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,  
19 or renewed in this state on or after January 1, 2021, may include a Medicare option available to any

1 [employee eligible for Medicare.](#)

2 [\(b\) The Medicare option may allow the employee to elect coverage under Medicare \(part](#)  
3 [A or part B of title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.\) for himself or herself;](#)  
4 [provided, however, that family members covered under the employer's health insurance policy or](#)  
5 [plan shall retain coverage during the duration of the employee's employment.](#)

6 [\(c\) The Medicare option contained in subsection \(b\) of this section can only be exercised](#)  
7 [by the employee at the discretion of the employer.](#)

8 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service  
9 Corporations" is hereby amended by adding thereto the following section:

10 **27-20-73. Health insurance contracts - Medicare option.**

11 [\(a\) Every individual or group health insurance contract, or every individual or group](#)  
12 [hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,](#)  
13 [or renewed in this state on or after January 1, 2021, may include a Medicare option available to any](#)  
14 [employee eligible for Medicare.](#)

15 [\(b\) The Medicare option may allow the employee to elect coverage under Medicare \(part](#)  
16 [A or part B of title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.\) for himself or herself;](#)  
17 [provided, however, that family members covered under the employer's health insurance policy or](#)  
18 [plan shall retain coverage during the duration of the employee's employment.](#)

19 [\(c\) The Medicare option contained in subsection \(b\) of this section can only be exercised](#)  
20 [by the employee at the discretion of the employer.](#)

21 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance  
22 Organizations" is hereby amended by adding thereto the following section:

23 **27-41-90. Health insurance contracts - Medicare option.**

24 [\(a\) Every individual or group health insurance contract, or every individual or group](#)  
25 [hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,](#)  
26 [or renewed in this state on or after January 1, 2021, may include a Medicare option available to any](#)  
27 [employee eligible for Medicare.](#)

28 [\(b\) The Medicare option may allow the employee to elect coverage under Medicare \(part](#)  
29 [A or part B of title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.\) for himself or herself;](#)  
30 [provided, however, that family members covered under the employer's health insurance policy or](#)  
31 [plan shall retain coverage during the duration of the employee's employment.](#)

32 [\(c\) The Medicare option contained in subsection \(b\) of this section can only be exercised](#)  
33 [by the employee at the discretion of the employer.](#)

1 SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

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1           This act would allow health insurance contracts issued or delivered for coverage on or after  
2   January 1, 2021 to include a Medicare option available to any Medicare-eligible employee. The  
3   Medicare option would allow the employee to elect Medicare coverage with the employee's family  
4   members retaining coverage under the employer's health insurance policy or plan during the  
5   duration of the employee's employment. The option would only be exercised at the discretion of  
6   the employer.

7           This act would take effect upon passage.

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