

1 H.140

2 Introduced by Representatives Jewett of Ripton, Burke of Brattleboro, Frank of
3 Underhill, Lippert of Hinesburg, Lorber of Burlington, Masland
4 of Thetford, Partridge of Windham, Poirier of Barre City, Till of
5 Jericho and Zuckerman of Burlington

6 Referred to Committee on

7 Date:

8 Subject: Health; health insurance; Catamount Health; preexisting conditions

9 Statement of purpose: This bill proposes to eliminate the 12-month coverage
10 exclusion for preexisting conditions under Catamount Health.

11 An act relating to eliminating the preexisting condition exclusion under
12 Catamount Health

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 8 V.S.A. § 4080f(e) is amended to read:

15 ~~(e)(1) For a 12-month period from the earliest date of application~~
16 Notwithstanding any provision of law to the contrary, a carrier offering
17 Catamount Health may not limit coverage of preexisting conditions which
18 existed ~~during the 12-month period before the earliest date of application,~~
19 ~~except that such exclusion or limitation shall not apply to chronic care if the~~
20 ~~individual is participating in a chronic care management program, nor apply to~~

1 ~~pregnancy. A carrier shall waive any preexisting condition provisions for all~~
2 ~~individuals and their dependents who produce evidence of continuous~~
3 ~~creditable coverage during the previous nine months. If an individual has a~~
4 ~~preexisting condition excluded under a subsequent policy, such exclusion shall~~
5 ~~not continue longer than the period required under the original contract or 12~~
6 ~~months, whichever is less. The carrier shall credit prior coverage that occurred~~
7 ~~without a break in coverage of 63 days or more. A break in coverage shall be~~
8 ~~tolled after the earliest date of application, subject to reasonable time limits, as~~
9 ~~defined by the commissioner, for the individual to complete the application~~
10 ~~process. For an eligible individual, as such term is defined in Section 2741 of~~
11 ~~the Health Insurance Portability and Accountability Act of 1996, a carrier~~
12 ~~offering Catamount Health shall not limit coverage of preexisting conditions.~~

13 ~~(2) Notwithstanding subdivision (1) of this subsection, a carrier offering~~
14 ~~Catamount Health shall not limit coverage of preexisting conditions for~~
15 ~~subscribers who apply before November 1, 2008. This subdivision (2) shall~~
16 ~~not apply to claims incurred prior to the effective date of this section prior to~~
17 ~~the individual's enrollment in Catamount Health.~~