

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1251

Sponsor: *D. White*

Printer's No. 3189

1 Amend Bill, page 1, line 11, by inserting after "laws,"

2 further providing for mini-COBRA small employer group
3 health policies; providing for continuation of coverage
4 reinstatement;

5 Amend Bill, page 1, lines 17 through 21, by striking out all
6 of said lines and inserting

7 Section 1. Section 635.4(a)(6)(i) of the act of May 17, 1921
8 (P.L.682, No.284), known as The Insurance Company Law of 1921,
9 added June 10, 2009 (P.L.5, No.2), is amended to read:

10 Section 635.4. Mini-COBRA Small Employer Group Health
11 Policies.--(a) A group policy in effect or delivered or issued
12 for delivery in this Commonwealth on or after the effective date
13 of this section by an insurer which insures employes and their
14 eligible dependents for hospital, surgical or major medical
15 insurance shall provide that covered employes, or eligible
16 dependents whose coverage under the group policy would otherwise
17 terminate because of a qualifying event, shall be entitled to
18 continue their hospital, surgical or major medical coverage
19 under that group policy subject to the following terms and
20 conditions:

21 * * *

22 (6) (i) Continuation of coverage under the group policy for
23 any covered employe or eligible dependent shall terminate upon
24 failure to satisfy paragraph (2) or, if earlier, at the first to
25 occur of the following:

26 (A) [the] The end date, determined as the later of the
27 following:

28 (i) nine months after the date the covered employe's or
29 eligible dependent's coverage under the group policy would have
30 terminated because of a qualifying event; or

31 (ii) if, during the pendency of a covered employe's or
32 dependent's receipt of continuation of coverage under a group
33 policy, the department publishes a notice in the Pennsylvania
34 Bulletin stating that a Federal premium assistance program is in
35 existence, including premium assistance under the American
36 Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123

1 Stat. 115) or any successor extension act, the maximum number of
2 months for which the program would make premium assistance
3 available to the covered employe or eligible dependent because
4 of the qualifying event, taking into account all prior months of
5 the continuation of coverage from and after the date of the
6 qualifying event.

7 (B) [if] If the employe or member fails to make timely
8 payment of a required premium contribution, the end of the
9 period for which contributions were made[;].

10 (C) [the] The date on which the group policy is terminated.

11 * * *

12 Section 2. The act is amended by adding a section to read:

13 Section 635.5. Continuation of Coverage Reinstatement.--

14 Subject to the limitations of section 635.4(a)(2) and the
15 requirements of this section, a covered employe or eligible
16 dependent whose continuation of coverage terminated upon the
17 expiration of a period of months as provided in section 635.4(a)
18 (6)(i)(A) prior to the effective date of this section shall have
19 the right to reinstate continuation of coverage for an
20 additional period of six months commencing on the effective date
21 of this section. Reinstatement shall be available to the covered
22 employes and dependents under the same terms and conditions
23 applicable to covered employes and covered dependents who lost
24 coverage under a plan due to a qualifying event on the effective
25 date of this section, including the notice and election
26 procedure described in section 635.4(a)(4)(ii), (iii), (iv) and
27 (v) and the premium contribution requirements of section
28 635.4(a)(5).

29 Section 3. The definition of "long-term care insurance" in
30 section 1103 of the act, amended July 17, 2007 (P.L.134, No.40),
31 is amended and the section is amended by adding definitions to
32 read:

33 Amend Bill, page 3, line 11, by striking out "2" and
34 inserting

35 4

36 Amend Bill, page 15, line 22, by striking out all of said
37 line and inserting

38 Section 5. This act shall apply as follows:

39 (1) The provisions of section 1111.1 of the act shall
40 apply to benefit

41 Amend Bill, page 15, by inserting between lines 24 and 25

42 (2) The addition of section 635.5 of the act shall apply
43 retroactively to July 10, 2009.

44 Amend Bill, page 15, line 25, by striking out "in 60 days."

1 and inserting

2 as follows:

3 (1) The amendment or addition of sections 1103 and
4 1111.1 of the act shall take effect in 60 days.

5 (2) The remainder of this act shall take effect
6 immediately.