

SHB 1401 - H AMD 15

By Representative Cody

ADOPTED 02/23/2009

1 Beginning on page 2, line 30, after "(d)" strike all material
2 through "(e)" on page 3, line 4 and insert "~~((If a person is seeking an
3 individual health benefit plan or enrollment in the basic health plan
4 as a nonsubsidized enrollee following disenrollment from a health plan
5 that is exempt from continuation coverage provided under 29 U.S.C. Sec.
6 1161 et seq., completion of the standard health questionnaire shall not
7 be a condition of coverage if: (i) The person had at least twenty-four
8 months of continuous group coverage including church plans immediately
9 prior to disenrollment; (ii) application is made no more than ninety
10 days prior to the date of disenrollment; and (iii) the effective date
11 of the individual coverage applied for is the date of disenrollment, or
12 within ninety days thereafter.~~

13 ~~(f))~~ If a person is seeking an individual health benefit plan or
14 enrollment in the basic health plan as a nonsubsidized enrollee due to
15 a change in employment status that would qualify him or her to purchase
16 continuation coverage provided under 29 U.S.C. Sec. 1161 et seq., but
17 the person's employer is exempt under federal law from the requirement
18 to offer such coverage, completion of the standard health questionnaire
19 shall not be a condition of coverage if: (i) Application for coverage
20 is made within ninety days of a qualifying event as defined in 29
21 U.S.C. Sec. 1163; and (ii) the person had at least twenty-four months
22 of continuous group coverage immediately prior to the qualifying event.
23 A health carrier shall accept an application without a standard health
24 questionnaire from a person with at least twenty-four months of
25 continuous group coverage if application is made no more than ninety
26 days prior to the date of a qualifying event and the effective date of
27 the individual coverage applied for is the date of the qualifying
28 event, or within ninety days thereafter.

29 (e)"

EFFECT: Clarifies that people who would qualify for COBRA

continuation coverage, but for the size of their employer, are not required to take the Standard Health Questionnaire if they apply for coverage within 90 days of a qualifying event and they had 24 months of continuous group coverage immediately prior to the qualifying event.

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