

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require, on a temporary basis, group health plans, individual health plans, and health insurers to provide health insurance coverage for dependents under 26 years of age on the same terms that insurance benefits are provided to other covered dependents.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Health Insurance for Dependents Temporary Act of 2010”.

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) “Dependent child” means an insured’s child by blood or by law who:
 - (A) Is under 26 years of age;
 - (B) Is unmarried;
 - (C) Has no dependent of his own;
 - (D) Is a resident of the District of Columbia or is enrolled as a full-time student at an accredited public or private institution of higher education; and
 - (E) Is not provided coverage, or eligible to receive coverage, as a named subscriber, insured, enrollee, or covered person under any other group health plan or individual health plan, or entitled to benefits under Title XVIII of the Social Security Act, approved July 30, 1965 (Pub. L. 89-871; 42 U.S.C. § 1395 *et seq.*), at the time dependent coverage pursuant to this act begins.
- (2) “Group health plan” means an employee welfare plan (as defined in section 3 (1) of the Employee Retirement Income Security Act of 1974, approved September 2, 1974 (88 Stat. 829; 29 U.S.C. § 1002(1)), to the extent that the plan provides medical care and includes items and services paid for as medical care to employees or their dependents (as defined under the terms of the plan) directly or through insurance, reimbursement, or otherwise.
- (3) “Health insurance coverage” means benefits consisting of medical care (provided directly, through insurance or reimbursement, or otherwise and includes items and

services paid for as medical care) under any hospital or medical service policy or certificate, hospital, or medical service plan contract, or health maintenance organization contract offered by a health insurer.

(4) “Health insurer” means any person that provides one or more health benefit plans or insurance in the District, including an insurer, a hospital and medical services corporation, a fraternal benefit society, a health maintenance organization, a multiple employer welfare arrangement, or any other person providing a plan of health insurance subject to the authority of the Commissioner of Insurance, Securities, and Banking.

Sec. 3. Dependent child coverage.

(a) A group health plan or an individual health plan, and a health insurer offering health insurance coverage that provides coverage for dependent children, that delivers, issues for delivery, amends, or renews a health insurance policy in the District of Columbia shall make health insurance coverage available and, if requested by the policyholder, extend health insurance coverage to any dependent child of a policyholder until the dependent child is no longer a dependent child.

(b) The health insurance coverage shall provide:

(1) The same health insurance coverage benefits to a dependent child that are available to any other covered dependent; and

(2) Health insurance coverage benefits to a dependent child at the same rate or premium applicable to any other covered dependent.

(c) Nothing in this act shall be construed to require:

(1) Coverage for services provided to a dependent before the effective date of this act; or

(2) That an employer or other group policyholder pay all or part of the cost of coverage for a dependent as provided pursuant to this section.

Sec. 4. Limitations on other coverage.

This act shall not limit or alter any right to dependent coverage or to the continuation of coverage that is otherwise provided for in the District of Columbia.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review

ENROLLED ORIGINAL

as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia