

HOUSE No. 940

By Mr. Fallon of Malden, petition of Christopher G. Fallon relative to termination of coverage in certain accident and health insurance policies. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO ACCIDENT AND HEALTH INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Paragraph (a) of subsection (2) of Section 108 of Chapter 175 of
2 the General Laws, as appearing in the 2004 Official Edition, is
3 hereby amended by striking out subparagraph (3) and inserting in
4 place thereof the following subparagraph:— (3) It purports to insure
5 only 1 person, except that a policy must insure, originally or by sub-
6 sequent amendment, upon the application of an adult member of a
7 family who shall be deemed the policyholder, 2 or more eligible
8 members of that family, including husband, wife, dependent children
9 or any children under a specified age not to exceed 25 years of age
10 or 2 years following loss of dependent status under the Internal Rev-
11 enue Code, whichever occurs first, and any other person dependent
12 upon the policyholder. If a policy provides for termination of a
13 dependent child’s coverage at a specified age and if such a child is
14 mentally or physically incapable of earning his own living on the
15 termination date, the policy shall continue to insure such child while
16 the policy is in force and so long as such incapacity continues, if due
17 proof of such incapacity is received by the insurer within 31 days of
18 such termination date. The term “dependent children” as used in this
19 provision shall include children of adopting parents during pendency
20 of adoption procedures under Chapter 210; and.