

**HOUSE . . . . . No. 981**

By Mr. Kafka of Stoughton, petition of Louis L. Kafka and others relative to the health insurance of children of divorced parents. Financial Services.

**The Commonwealth of Massachusetts**

PETITION OF:

Louis L. Kafka	Christine E. Canavan
William C. Galvin	Martha M. Walz
Anthony J. Verga	Barbara A. L'Italien
Lida E. Harkins	Jennifer M. Callahan
Kathi-Anne Reinstein	Thomas P. Kennedy

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE HEALTH INSURANCE OF CHILDREN OF DIVORCED PARENTS.

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

1 Notwithstanding any general or special law to the contrary,  
2 Chapter 1751 of the Massachusetts General Laws, as appearing in  
3 the 1996 Official Edition, shall be amended by adding at the end  
4 thereof the following section:—

5 Section 23. If a child is covered under a health insurance policy  
6 issued to the child’s non-custodial parent, the issuer of the policy  
7 shall do all of the following:—

8 (1) Provide necessary information and/or documents to the child’s  
9 custodial parent or legal guardian to enable the child to obtain bene-  
10 fits under the health insurance policy.

11 (2) Permit the child’s custodial parent or legal guardian (or the  
12 provider, with the custodial parent’s or legal guardian’s approval) to  
13 submit claims for payment for covered services without the approval  
14 of the non-custodial parent.

15 (3) Make payments on claims submitted in accordance with para-  
16 graph (2) directly to the custodial parent or legal guardian, the  
17 provider of the health care services, or the state Medicaid agency.

18 (4) Provide written notification of policy adjustment or termina-  
19 tion to the child's custodial parent or legal guardian concurrent with  
20 notification to the policyholder.