

**SENATE . . . . . No. 489**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Joan M. Menard**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to group health insurance.

PETITION OF:

NAME:

Joan M. Menard

DISTRICT/ADDRESS:

First Bristol and Plymouth

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO GROUP 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           SECTION 1. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by adding in lines 44 and 85 after the words “a policy” the  
3 following:-

4 which qualifies as creditable coverage pursuant to c. 111M and is

5           SECTION 2. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
6 Official Edition, is hereby amended by adding in lines 62, 145 and 164 after the words “a policy”  
7 the following:-

8 which qualifies as creditable coverage pursuant to c. 111M and

9           SECTION 3. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
10 Official Edition, is hereby amended by striking in lines 47 and 50 the words “A policy” and  
11 adding, in place thereof, the following:-

12 Any such policy

13 SECTION 4. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
14 Official Edition, is hereby amended by adding, in line 62 after the words “of this section.” the  
15 following:-

16 Any general or blanket policy which does not qualify as creditable coverage pursuant to  
17 c. 111M and is delivered or issued for delivery in the commonwealth, and any certificate and the  
18 schedule of premium charges issued in connection with such policy, shall be furnished to the  
19 commissioner upon his request. Any such policy on which the premiums are paid by the  
20 policyholder wholly from the employer's funds or funds contributed by him, insuring all eligible  
21 employees, shall be deemed a general or blanket policy within the meaning of this section. Any  
22 such policy on which the premiums are paid by the policyholder, either partly from the  
23 employer's funds or funds contributed by him and partly from funds contributed by the insured  
24 employees, or wholly from funds contributed by the insured employees, and the benefits of  
25 which are offered to all eligible employees shall be deemed a general or blanket policy within the  
26 meaning of this section.

27 SECTION 4. Section 110 of chapter 175 of the General Laws, as appearing in the 2006 Official  
28 Edition, is hereby amended by adding, in line 90 after the words “may be so insured.” the  
29 following:-

30 A policy which does not qualify as creditable coverage pursuant to c. 111M and on which  
31 the premiums are paid by the trustees of a fund, established as described in clause (h) of this  
32 subdivision, wholly from funds contributed by the employer or employers of the employees, or  
33 by the union or association, or by the union or associations, or by both, or on which the  
34 premiums are paid by such trustees partly from such funds contributed by the employer or  
35 employers of the employees, or by the union or unions or association or associations, or both,

36 and partly from funds contributed by the insured persons specifically for their insurance, and  
37 insuring all eligible employees of the employer or employers and/or all the eligible members of  
38 the union or unions or association or associations, or all eligible employees or members of any  
39 class or classes thereof determined by conditions pertaining to their employment, or to  
40 membership in the union or unions, or association or associations, or to both, or such a policy on  
41 which the premiums are paid by such trustees partly or wholly from funds contributed by the  
42 insured persons specifically for their insurance the benefits of which are offered to all eligible  
43 employees of the employer or employers and/or all eligible members of the union or unions or  
44 association or associations, or all eligible employees or members of any class or classes thereof  
45 determined by conditions pertaining to their employment, or to membership in the union or  
46 unions, or association or associations, or to both, or such a policy issued to the trustees of a fund  
47 established by one or more employers and one or more such trade unions or associations, the  
48 premiums on which are paid by such trustees partly from such funds contributed by the  
49 employers, unions or associations, or both, and partly or wholly from funds contributed by the  
50 insured persons specifically for their insurance, and the benefits of which are offered to all  
51 eligible persons, who remit funds for premium payments to the trustees, shall also be deemed a  
52 general or blanket policy within the meaning of this section. In case of a policy which does not  
53 qualify as creditable coverage pursuant to c. 111M and is issued to a trade union or association  
54 under clause (g) of this subdivision on which the premium is to be paid by the trade union or  
55 association, or the trade union, association and its members jointly, or wholly by its members,  
56 and the benefits of the policy are offered to all eligible members, shall also be deemed a general  
57 or blanket policy within the meaning of this section.

58 SECTION 5. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
59 Official Edition, is hereby amended, by adding, in line 98 after the words “retired employees;”  
60 the following:-

61 former employees,

62 SECTION 7. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
63 Official Edition, is hereby amended, by adding in line 151 after the words “of this section.” the  
64 following sentence:-

65 A policy which does not qualify as creditable coverage pursuant to c. 111M and on which  
66 the premium is paid by the members of the association and the benefits of which are offered to  
67 all its members shall be deemed to be a general or blanket policy within the meaning of this  
68 section.

69 SECTION 8. Section 110 of chapter 175 of the General Laws, as appearing in the 2006  
70 Official Edition, is hereby amended by adding in line 175 after the words “of this section.” the  
71 following sentence:-

72 A policy which does not qualify as creditable coverage pursuant to c. 111M and on which  
73 the premiums are paid by the policy holder, either partly from funds of or contributed by such  
74 policy holder and partly from funds contributed by the insured independent contractor  
75 newspaperboys or wholly from funds contributed by such newspaperboys and the benefits of  
76 which are offered to all eligible newspaperboys shall be deemed to be a general or blanket policy  
77 within the meaning of this section.