

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

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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 Official  
6           Edition, is hereby amended by adding in lines 62, 145 and 164 after the words “a policy” the  
7           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 Official  
10          Edition, is hereby amended by striking in lines 47 and 50 the words “A policy” and adding, in  
11          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 Official  
14 Edition, is hereby amended by adding, in line 62 after the words “of this section.” the following:-

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

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

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

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

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

61 former employees,

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

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

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

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

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