

CHAPTER 99  
SB 221 – FINAL VERSION

2012 SESSION

12-2845  
01/09

SENATE BILL        **221**

AN ACT            relative to life, accident, and health insurance.

SPONSORS:        Sen. White, Dist 9; Sen. Houde, Dist 5; Rep. Hunt, Ches 7; Rep. Schlachman,  
Rock 13; Rep. Flanders, Belk 4; Rep. Headd, Rock 3; Rep. Infantine, Hills 13

COMMITTEE:      Commerce

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ANALYSIS

This bill makes certain technical changes in life, accident, and health insurance laws.

This bill is a request of the insurance department.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                   relative to life, accident, and health insurance.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           99:1 Group Insurance; Technical Correction. Amend RSA 415:18, XVI(c)(5) to read as follows:  
2                           (5) ~~[Eligible for Medicare]~~ When the surviving spouse, divorced spouse, or legally  
3 separated spouse is 55 years of age or older and loses coverage because of the death, divorce, or legal  
4 separation of the covered employee, coverage shall continue subject to this section until such time as  
5 the spouse becomes eligible for participation in another employer-based group plan or becomes  
6 eligible for Medicare.

7           99:2 Accident and Health Insurance; Appeal Procedure. Amend RSA 415-A:4-b, V(a)(5)-(7) to  
8 read as follows:

9                           (5) If an internal rule, guideline, protocol, or other similar provision was relied upon  
10 in making the claim denial, a statement that such rule, guideline, protocol, or other similar provision  
11 was relied upon in making the claim denial; **and**

12                           (6) ~~[The following statement: "You and your plan may have other voluntary  
13 alternative dispute resolution options, such as mediation. One way to find out what may be  
14 available is to contact your local U.S. Department of Labor Office and your state insurance  
15 regulatory agency;" and~~

16                           (7) A statement describing the claimant's right to contact the insurance  
17 commissioner's office for assistance which shall include a toll-free telephone number and address of  
18 the commissioner.

19           99:3 Health Service Corporations; Administrative Fines. Amend RSA 420-A:17-d, V to read as  
20 follows:

21           V. The commissioner may assess an administrative fine against any health service  
22 corporation or may suspend or revoke the license or certificate of authority of any health service  
23 corporation after determining that the health service corporation has established a pattern of  
24 overdue payments and that the contemplated enforcement action would not promote the  
25 deterioration of the financial condition of an at-risk insurer. Such fine shall ~~[be up to \$5,000 per  
26 violation, not to exceed \$100,000]~~ **not exceed \$300,000 per calendar year examined**. Nothing in  
27 this paragraph shall be construed to alter the commissioner's authority to investigate or take action,  
28 including, but not limited to, action pursuant to RSA 415:20, in response to individual instances of  
29 noncompliance.

30           99:4 Repeal. RSA 415:18, I(s), relative to a maternity benefits rider, is repealed.

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1           99:5 Effective Date. This act shall take effect 60 days after its passage.

2    Approved: May 29, 2012

3    Effective Date: July 28, 2012