

SB 334 – AS AMENDED BY THE SENATE

02/15/12 0654s

2012 SESSION

12-2812
01/03

SENATE BILL **334**

AN ACT relative to Medicare unfair trade practices.

SPONSORS: Sen. White, Dist 9; Rep. Hunt, Ches 7; Rep. Flanders, Belk 4; Rep. Infantine, Hills 13; Rep. K. Murphy, Hills 18

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill clarifies the law making certain practices regarding selling, soliciting, or negotiating the purchase of Medicare products and Medicare supplemental health insurance an unfair trade practice under RSA 417:4.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Medicare unfair trade practices.

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

1 1 Unfair Insurance Practices. Amend RSA 417:4, XXIII(a) and (b)(1) to read as follows:

2 (a)(1) Selling, soliciting or negotiating the purchase of Medicare products (Part C and
3 Part D) or Medicare supplemental (Medigap) health insurance in this state through the use of cold
4 lead advertising.

5 (2) ~~[Using an appointment that was made to discuss Medicare products or to solicit~~
6 ~~the sale of Medicare products in order to solicit sales of life insurance or annuity products.~~

7 (3) Soliciting the sale of Medicare products door-to-door prior to receiving an
8 invitation from a consumer.

9 (b) In this paragraph:

10 (1) "Cold lead advertising" means ~~[making use directly or indirectly of]~~ a method of
11 marketing that fails to disclose in a conspicuous manner that a purpose of the marketing is
12 insurance sales solicitation and that a contact will be made by an insurance producer or insurance
13 company.

14 2 Effective Date. This act shall take effect January1, 2013.