

Bill as Introduced

HB 1585-FN - AS INTRODUCED

2010 SESSION

10-2485
01/10

HOUSE BILL

1585-FN

AN ACT

allowing health insurance policies to be sold without mandates.

SPONSORS:

Rep. W. O'Brien, Hills 4; Rep. Boyce, Belk 5

COMMITTEE:

Commerce and Consumer Affairs

ANALYSIS

This bill allows health insurance policies without mandates to be sold to New Hampshire residents. Under this bill, if the policy or certificate does not include certain mandated coverages, it must be submitted to the insurance commissioner for approval.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT allowing health insurance policies to be sold without mandates.

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

1 1 New Chapter; Health Insurance Competition and Freedom Act. Amend RSA by inserting after
2 chapter 420-K the following new chapter:

3 CHAPTER 420-L

4 HEALTH INSURANCE COMPETITION AND FREEDOM ACT

5 420-L:1 Findings and Purpose. The general court finds:

6 I. That separate health and medical insurance company licensing among states results in a
7 lack of inter-state competition among health care insurance companies, which in turn contributes to
8 health and medical insurance policies being unnecessarily costly and therefore not universally
9 available to all.

10 II. That health insurance policies are additionally made costly and therefore not universally
11 available to all who may elect to obtain this insurance coverage by numerous additional statutorily
12 and regulatory mandated health insurance coverages, many of which are of no or marginal use to
13 certain individual health insurance policy holders or beneficiaries or which would be rejected by
14 some individual health insurance policy holders or beneficiaries in order to obtain affordable core
15 coverage.

16 III. That by allowing every health insurance company, which is licensed to provide health
17 insurance coverage in any state of the United States and is in good standing in all states in which it
18 is registered or licensed to do business, to provide health insurance coverage for New Hampshire
19 residents after the company has registered with the commissioner of the insurance department, the
20 commissioner has verified that it is licensed to provide health insurance coverage in any state of the
21 United States and is in good standing in all states in which it is registered or licensed to do business,
22 and the commissioner has approved of its health insurance policy, will result in greater competition
23 among health insurers, thereby reducing the cost of health insurance in New Hampshire.

24 IV. That by allowing health insurance companies to provide health insurance policies not
25 including previously mandated coverages, it is in the interest of the residents of New Hampshire
26 that those policies clearly state both what health insurance coverages are being provided as well as
27 those previously mandated coverages which are not provided.

28 V. That it is also in the interest of the residents of New Hampshire that all health insurance
29 companies providing health insurance coverage in New Hampshire be subject to the jurisdiction and
30 courts of the state of New Hampshire.

1 420-L:2 Definitions. In this chapter: The words and terms, "certificate," "commissioner,"
2 "company," "insurer," "policy" and "policy form," whether used in the singular or plural, shall have
3 the same meanings in this chapter as provided in RSA 420-H:2.

4 420-L:3 Acceptance of Out-of-State Licensed Health Care Companies and Insurers. All
5 companies and insurers that are licensed to provide health or medical insurance policy in any state
6 of the United states shall be allowed to provide health care insurance to residents of
7 New Hampshire, upon satisfaction of the conditions set forth in RSA 420-L:4.

8 420-L:4 Conditions for Companies and Insurers Providing Health Insurance Coverage in New
9 Hampshire. Each company and insurer providing any health or medical insurance policy to a
10 resident of New Hampshire:

11 I. Shall be licensed to provide health or medical insurance policies in New Hampshire or any
12 other state of the United States.

13 II. Shall register with the commissioner and annually renew such registration through
14 procedures or regulations adopted by the commissioner.

15 III. Shall be registered with the New Hampshire secretary of state, either as a domestic or
16 foreign corporation or business, to do business in the state of New Hampshire.

17 IV. If not licensed in New Hampshire to provide such policies to residents of
18 New Hampshire, shall annual certify to the commissioner that it is licensed in another state of the
19 United States to provide such policies to insureds.

20 V. Shall use only policy forms and certificates approved by the commissioner if any of the
21 mandated coverages listed in RSA 420-L:7 is not going to be provided pursuant to that policy form or
22 certificate.

23 420-L:5 Appointment of Commissioner as Agent for Service of Process; Designation of Forum,
24 Venue and Jurisdiction. Companies and insurers providing any health or medical insurance policy
25 to a resident of New Hampshire shall be deemed to have irrevocably appointed the commissioner as
26 agent for service of process and, notwithstanding any language in a policy or certificate or otherwise,
27 to have agreed that the courts of the state of New Hampshire shall be the proper, convenient and
28 exclusive forum, venue and jurisdiction for resolving all disputes with residents of the state of New
29 Hampshire and arising under all its health or medical insurance policies and certificates covering
30 residents of the state of New Hampshire.

31 420-L:6 Pre-Approval of Policies and Certificates. Prior to providing health or medical
32 insurance coverage to any resident of New Hampshire pursuant to a policy or a certificate that does
33 not provide all of the mandated coverages set forth in RSA 420-L:7, the company or insurer providing
34 such health or medical insurance coverage shall submit the policy and certificate to the
35 commissioner for the commissioner to determine if the submitted policy and certificate satisfies the
36 requirements of RSA 420-H and otherwise is reasonably understandable with regard to coverages
37 and exclusions from coverages. If the commissioner reasonably determines that the policy or

1 certificate fails to do so, the commissioner shall so inform the company or insurer and specify
2 changes to be made to achieve compliance with RSA 420-H and for the policy and certificate to be
3 reasonably understandable with regard to coverages and exclusions from coverages. If the
4 commissioner fails to make and communicate a reasonable determination within 60 days of the
5 submission of the policy or certificate, the submitted policy and certificate shall be deemed for all
6 purposes to satisfy this provision.

7 420-L:7 Mandated Coverages for Approved Policies and Certificates Not Required.

8 I. Any company or insurer may, through a policy or certificate approved or deemed approved
9 pursuant to RSA 420-L:6, provide health or medical insurance coverage that does not include any
10 statutorily or regulatory mandated health or medical insurance coverages, including without
11 limitation those listed in RSA 420-L:7, II and those which may hereafter be mandated by statute or
12 regulation.

13 II. Policies and certificates approved or deemed approved pursuant to RSA 420-L:6 shall not
14 be required to include any of the coverages listed or described in the following statutory provisions:
15 RSA 135-C:10, I(c); RSA 415:6-b; RSA 415:6-c; RSA 415:6-d; RSA 415:6-e; RSA 415:6-g; RSA 415:6-j;
16 RSA 415:6-l; RSA 415:6-m; RSA 415:6-n; RSA 415:6-o; RSA 415:18-a; RSA 415:18-c; RSA 415:18-d;
17 RSA 415:18-e; RSA 415:18-f; RSA 415:18-g; RSA 415:18-h; RSA 415:18-i; RSA 415:18-j; RSA 415:18-l;
18 RSA 415:18-n; RSA 415:18-q; RSA 415:18-r; RSA 415:18-s; RSA 415:18-t; RSA 417-E; RSA 420-A:8-r;
19 RSA 420-A:13; RSA 420-A:14; RSA 420-A:17; RSA 420-A:17-a; RSA 420-A:17-b; RSA 420-A:17-c;
20 RSA 420-A:17-f; RSA 420-A:17-g; RSA 420-B:8-b; RSA 420-B:8-e; RSA 420-B:8-ee; RSA 420-B:8-f;
21 RSA 420-B:8-ff; RSA 420-B:8-gg; RSA 420-B:8-j; RSA 420-B:8-k; RSA 420-B:8-l, I.

22 420-L:8 Interpretation. All policies and certificates which are submitted for approval under
23 RSA 420-L:6 are to be interpreted broadly so as to find coverages unless plainly and clearly excluded,
24 and in favor of the insured or beneficiaries of such policy or certificates.

25 2 Effective Date. This act shall take effect 60 days after its passage.

LBAO
10-2485
12/07/09

HB 1585-FN - FISCAL NOTE

AN ACT allowing health insurance policies to be sold without mandates.

FISCAL IMPACT:

The Insurance Department states this bill may decrease state general fund revenue, county expenditures, and local expenditures by an indeterminable amount in FY 2010 and each year thereafter. There is no fiscal impact on county and local revenue or state expenditures.

METHODOLOGY:

The Insurance Department states this bill allows companies not otherwise licensed by the Department to engage in the business of health insurance in the State under certain conditions and allows companies to write health insurance policies that do not comply with certain mandated benefits. To the extent policies can be sold without certain mandated benefits, lower cost options may be available leading to a decrease in expenditures for county and local governments. The Department states the lower cost option may cause a decrease in premium tax revenue. Additionally, the Department is unclear what premium tax rate, if any would apply to the non-licensed companies which may result in a decrease in revenue.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1585-FN

BILL TITLE: allowing health insurance policies to be sold without mandates.

DATE: January 19, 2010

LOB ROOM: 302 **Time Public Hearing Called to Order:** 1148

Time Adjourned: 1205

(please circle if present)

Committee Members: Reps. Butler, DeStefano, Kopka, McEachern, Hammond, Nord, Winters, Meader, Gidge, Schlachman, Keans, ~~D. Ames~~, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Headd, Nevins and Palfrey.

Bill Sponsors: Reps. W. O'Brien and Boyce

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. William O'Brien, prime sponsor – Introduced bill. We believe mandates are too costly. 55% of premiums dollars is to fund mandates; over 1000 different mandates throughout the country. The bill allows companies to make affordable policies tailored to the needs of the consumer. Just want policy to cover me if I get really sick; just enough to handle financial burdens that might arise. We want the market place to provide - free up - the market place will determine cost.

Leslie Ludke, Dept. of Insurance – We deal heavily with insurance complaints; the largest complaint is something isn't covered. We have many consumer protections not listed in the policy. We have many requirements and checks and balances to ensure consumer rights under the law are covered. There are a lot of problems with bill principally the undermining consumer protection. There is a licensing problem; the bill allows no licensed companies to sell policies in the state.

Q: Does any other state have a program like this?

A: Not sure.

Rich Tomasso, Libertarian Party – Supports bill. Had written testimony and he read from same.

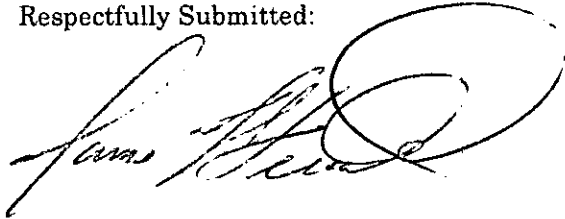
Q: Rep. Sandra Keans – What do you see in this policy?

A: If I'm in an accident something that would really impact my life. I don't need certain things that I will never need.

***Peter Ames, American Cancer Society** – Opposes the bill. Has written testimony; read from same. Testimony applies to HB 1585 and HB 1451.

Bob Blaisdell, NH Coalition For Prosthetics – Opposes bill. Allows for enormous cost shifting; when a policy does not provide enough coverage the insured then needs to apply for welfare and other assistance. This is the cost shift to the state. Used prosthetic leg cost as an example. I am very concerned with non-licensed companies doing business with.

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "James F. Headd". The signature is written in black ink and is positioned to the right of the typed name below it.

James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1585-FN

BILL TITLE: allowing health insurance policies to be sold without mandates.

DATE: January 19, 2010

LOB ROOM: 302 **Time Public Hearing Called to Order:** 11:48

Time Adjourned:

(please circle if present)

Committee Members: Reps. Butler, DeStefano, Kopka, McEachern, Hammond, Nord, Winters, Meade, Gidge, Schlachman, D. Ryan, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Heads, Nevins and Patrey.

KEANS

Bill Sponsors: Reps. W. O'Brien and Boyce

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep O'Brien - PRIME SPONSOR
mandates bill -

We believe mandates are too costly
55% of premium \$ is to fund mandates -
over 1000 different mandates throughout the
country.

We think there should be cross BOARDER sales
of ins.

The bill allows companies to make affordable
policies tailored to the needs of the consumer
Just want policy to cover me if I get
Really sick - Just enough to handle financial
burdens that my ~~costs~~ DR'S

Pg 2

VB 1585

We want to market back to
producer - Free up the market place
will determine cost

#2

Ledie Lutz - Sen Dept
We deal ~~heavy~~ heavily with the
complaints - the biggest complaint is
something isn't covered. We have many
consumer protections not listed in the
policy. - We have many requirements
and checks and balances to ensure
consumers rights under the law are covered
There are a lot of problems
with bill primarily by undermining
consumer protection

Company

There is a licensing problem -
The bill allows now licensed persons
to ~~register~~ sell policies in the state

Q Does anyone state have program
like this
A - Not sure -

#3

Rich TOMASO - Lieutenant Paul
had written ~~memo~~ testimony at the
Read from same Support the Bill

P. 7 HB 1585

Q - Kras - what do you see in this policy?
If I'm in an accident - something that
would really impact my life
I don't need certain things
that I will never need -

#4

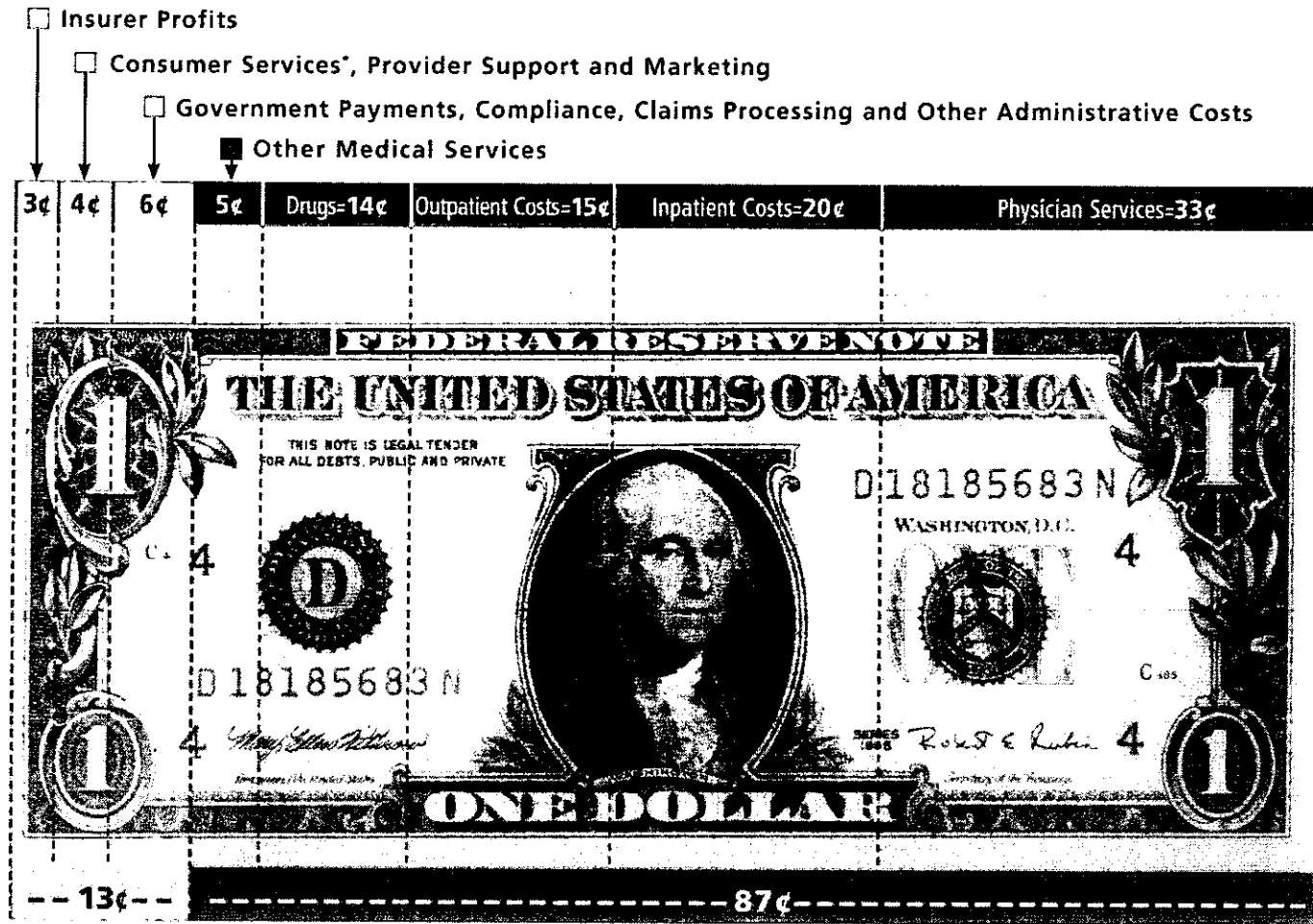
Peter Ames - American Cancer
Society - Opposes the bill -
has written testimony - Read
from same -
Testimony applied to HB 1585
at HB 1431

#5

Bobby Blood - Democrat - Gray
opposes bill -
Allows for enormous cost
shifting - when a policy does not
provide enough coverage the individual
then need to apply for welfare and
other assistance - This is the cost
shift to the state - used prosthetic
leg cost as example -
I am very concerned with non-blinded
compensating business etc

Testimony

Where Does Your Health Insurance Dollar Go?



*Includes prevention, disease management, care coordination, investments in health information technology and health support.

Based on a PricewaterhouseCoopers' analysis, *Factors Fueling Rising Healthcare Costs 2008*. © 2008 America's Health Insurance Plans



Testimony on HB1585, allowing health insurance without mandates

I am speaking today in favor of HB1585 as it provides welcome flexibility and consumer relief in an over-regulated marketplace.

One of the main drivers of health-care costs is government mandates, which force insurance companies to cover more and more procedures, even when those are not in demand by customers. I am forced, by the state, to pay for coverage I do not want for procedures I never intend to have, or do not apply to me for reasons of gender, age, profession or the like, or to get insurance that limits my options.

For those of us who want simple, basic insurance, and not the pre-paid medical care that passes for insurance these days, this is a great piece of legislation, perhaps the best bill the general court will have before them this year. The rising cost of health care, which includes insurance coverage, is a major topic of public debate. New Hampshire can lead the way in making insurance more available and more affordable by allowing flexibility of coverage on a voluntary basis and with proper notice given to the consumer.

This bill's fiscal note should have included potential cost savings as more people will be able to afford private insurance and not have to rely on state services or be a cost-sharing burden on hospitals and their fellow citizens because they are uninsured.

Be that as it may, providing more choices to consumers is a good thing, it spurs competition which drives down costs. As the president said many times on the campaign trail, "it's not that people don't want insurance, it's that they just can't afford it." This bill would give people the option of having some insurance rather than no insurance.

This bill becoming law will also provide the legislature and regulators valuable information of what insurance customers really want and what they are willing to pay to get it, which will be useful data for any future legislation.

So please vote OTP on HB1585, and make insurance more affordable and more desirable to those who want it but don't think the current cost is worth it.

Thank you,
Rich Tomasso
Libertarian Party



HB1585 Testimony of Peter Ames
American Cancer Society
471-4110

House Bill 1585 and House Bill 1431
New Hampshire House Committee on Commerce and Consumer Affairs
January 19, 2010

Mister Chairman, members of the committee. My name is Peter Ames and I am the Director of Advocacy at your American Cancer Society here in New Hampshire. Thank you for the opportunity to present testimony in opposition to House Bill 1585 and House Bill 1431, both of which would remove consumer protection regulations provided to health insurance consumers.

Quality, affordable health care for all Americans is a top priority of the American Cancer Society, and so we recognize that this legislation is well intended as an effort to reduce costs. However, we believe a bare bones policy is not in the best interest of consumers. No one plans to get cancer, but when it hits, quality insurance is literally a life saver. Policies that do not offer cancer screening and services, such as the mammograms and clinical trials which are offered in current law, would be of little value to cancer patients and their families. Last year, over 100,000 Americans filed for bankruptcy as the result of a cancer diagnosis. Many of those Americans were insured, but their policies were not adequate.

Furthermore, we have concerns about how out-of-state insurance policies would be regulated. Currently, the appeals process in New Hampshire is satisfactory and we believe to be well managed by the Department of Insurance. Opening up the marketplace to insurance policies that are based in other states creates confusion about jurisdiction, process for appeals, and enforcement. We believe the patchwork of regulations and mandates in the current health insurance marketplace across state lines does not allow for the market adjustments outlined in House Bills 1585 and 1431. However, we believe this issue should be reviewed again if there are substantial changes made to the national insurance market through federal policy change.

We believe that we should maintain consumer protections to ensure that New Hampshire citizens are provided high quality health insurance. We welcome the discussion on how to reduce health costs and are willing to offer our views on the subject. However, we are unable to



support House Bill 1585 and House Bill 1431 due to our concern that the premium cost savings would only be gained by reducing coverage, not tackling the underlying cost drivers of care.

On behalf of the American Cancer Society, I respectfully urge you to oppose House Bill 1585 and House Bill 1431. The American Cancer Society is here as a resource and willing partner as you weigh this important issue. Honorable Chair, Members of the Committee, thank you for your time. If you have any questions, I would be happy to answer them.

Complete Document

Can Be Viewed

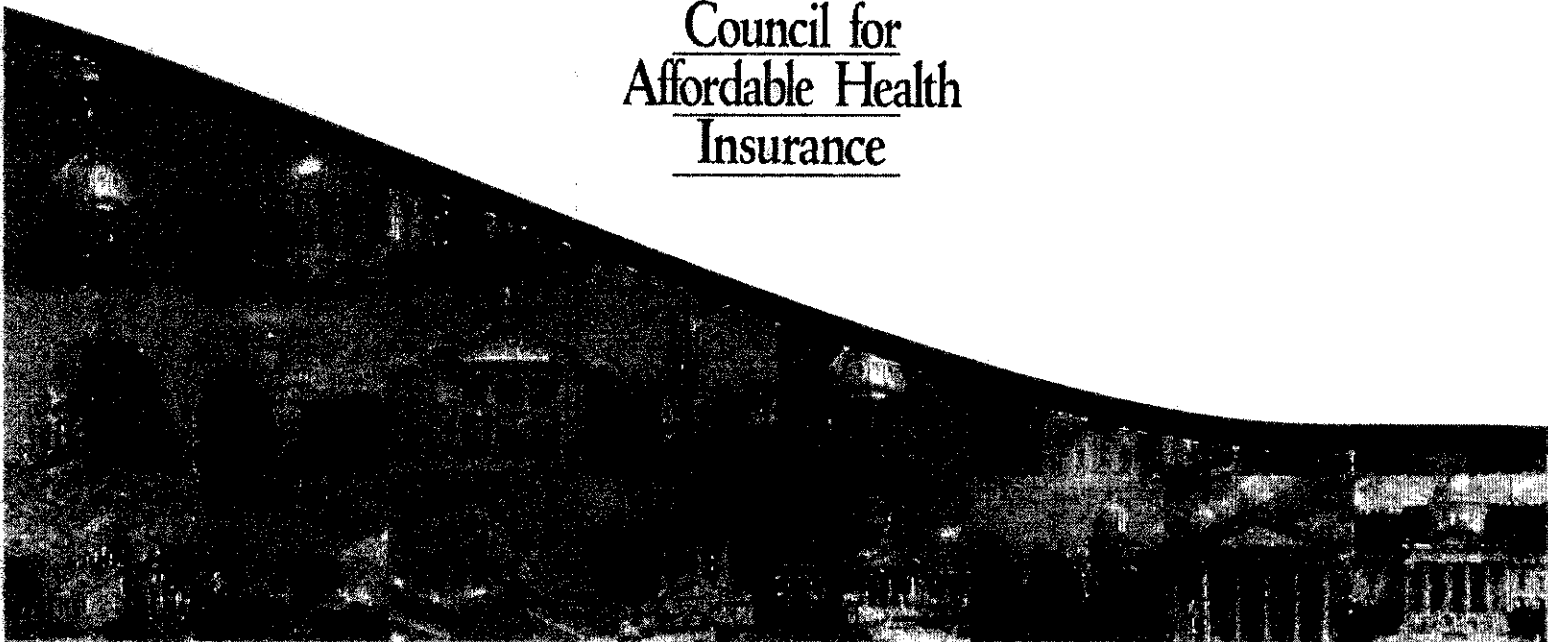
In Bill Folder

Health Insurance Mandates in the States 2009

Victoria Craig Bunce, Director of Research and Policy
JP Wieske, Director of State Affairs



Council for
Affordable Health
Insurance



Special thanks to Larry Siedlick, Government Affairs Assistant, Council for Affordable Health Insurance.

Other CAHI state health reform publications available at www.cahi.org –

“State Health Insurance Index,” by Merrill Matthews, Ph.D., Victoria Craig Bunce, and JP Wieske

“2009 State Legislators’ Guide to Health Insurance Solutions,” by JP Wieske and Christie Raniszewski Herrera

“Trends in State Mandated Benefits, 2009,” by Victoria Craig Bunce

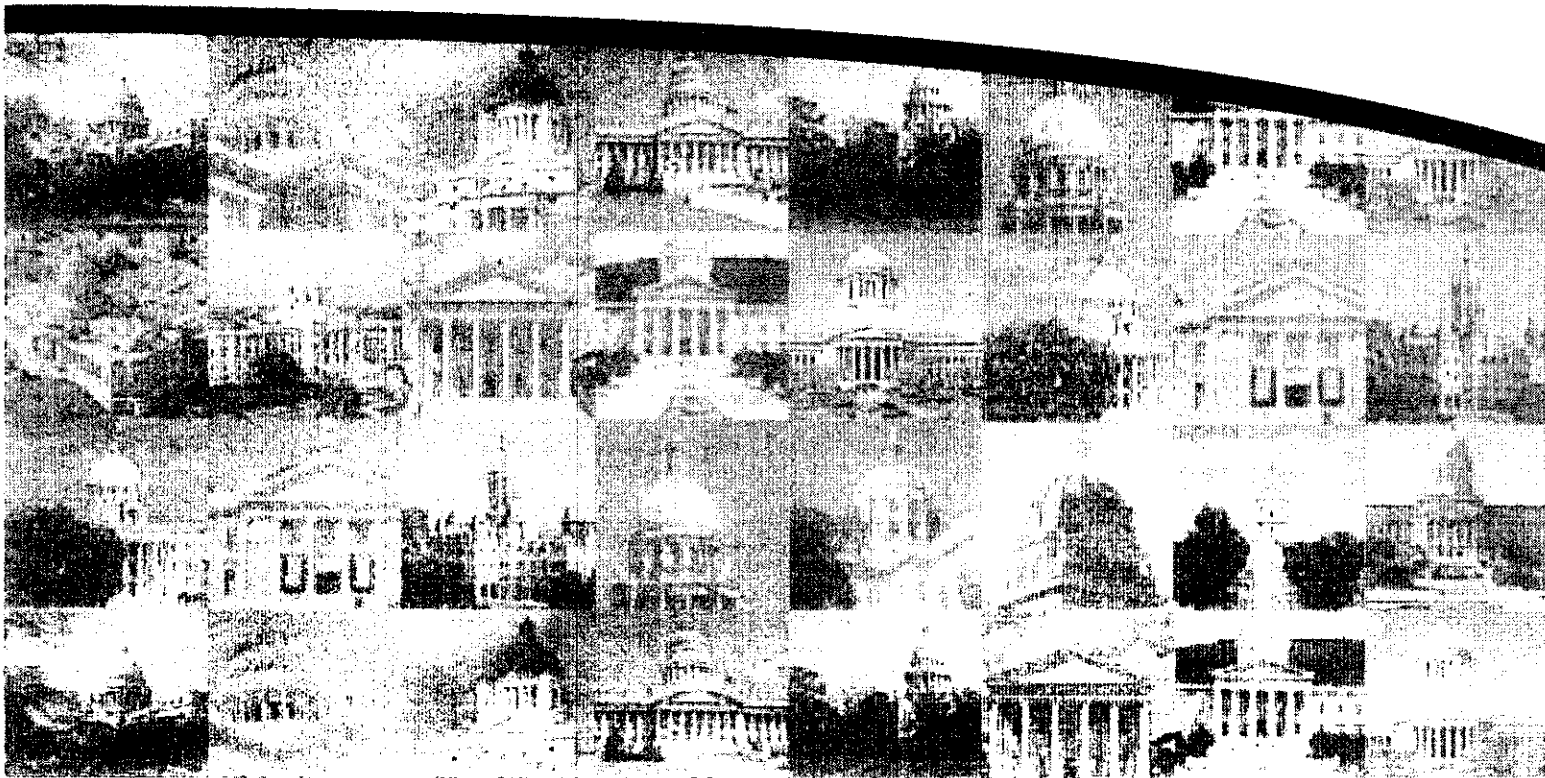
“HSA State Implementation Report,” by Victoria Craig Bunce

About the Council for Affordable Health Insurance

The Council for Affordable Health Insurance (CAHI) is a research and advocacy association of insurance carriers active in the individual, small group, HSA and senior markets. CAHI’s membership includes health insurance companies, small businesses, physicians, actuaries and insurance brokers. Since 1992, CAHI has been an advocate for market-oriented solutions to the problems in America’s health care system.

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Voting Sheets

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1585-FN

BILL TITLE: allowing health insurance policies to be sold without mandates.

DATE: 1-26-10

LOB ROOM: 302

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Flanders

Seconded by Rep. Meader

Vote: 18-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1585-FN

BILL TITLE: allowing health insurance policies to be sold without mandates.

DATE: 1-26-10

LOB ROOM: 302

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

*R / Anderson
meader*

1E-1

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

*Consent
JF*

COMMERCE AND CONSUMER AFFAIRS

Bill #: HB 1585-FN Title: Allowing health care policies to be sold sans ^{market}

PH Date: 1/26/10 Exec Session Date: 1/26/10

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman	✓	
Schlachman, Donna L, V Chairman	✓	
DeStefano, Stephen T	✓	
Kopka, Angeline A	✓	
Meader, David R	✓	
McEachern, Paul	✓	
Hammond, Jill Shaffer	✓	
Nord, Susi	✓	
Winters, Joel F	✓	
Keans, Sandra B	✓	
Gidge, Kenneth N	✓	
Hunt, John B		✓
Quandt, Matt J	✓	
Belanger, Ronald J	✓	
Flanders, Donald H	✓	
Holden, Rip	✓	
Dowling, Patricia A	✓	
Headd, James F, Clerk	✓	
Nevins, Chris F	—	—
Palfrey, David J	✓	
	19	1

Committee Report

CONSENT CALENDAR

February 3, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on COMMERCE AND CONSUMER AFFAIRS to which was referred HB1585-FN,

AN ACT allowing health insurance policies to be sold without mandates. Having considered the same, report the same with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Donald H Flanders,

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	COMMERCE AND CONSUMER AFFAIRS
Bill Number:	HB1585-FN
Title:	allowing health insurance policies to be sold without mandates.
Date:	January 27, 2010
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill, if passed as written, would require New Hampshire to allow health insurance policies written by any insurance company licensed to do business in any state, to be sold to New Hampshire residents. Such policies would not be bound to provide New Hampshire mandated coverages as long as they were providing the same coverage as they were permitted to write in their home state. At the same time they would be requiring the New Hampshire Department to approve their forms and provide consumer protections to their New Hampshire policyholders. This would be extremely expensive and, indeed, impossible for the Insurance Department to enforce as they only provide oversight for New Hampshire laws, approved rules and forms. It would also violate laws requiring all insurance companies operating under their jurisdiction to be duly licensed in the state of New Hampshire.

Vote 18-1.

Rep. Donald H Flanders
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB1585-FN, allowing health insurance policies to be sold without mandates. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald H Flanders for **COMMERCE AND CONSUMER AFFAIRS**. This bill, if passed as written, would require New Hampshire to allow health insurance policies written by any insurance company licensed to do business in any state, to be sold to New Hampshire residents. Such policies would not be bound to provide New Hampshire mandated coverages as long as they were providing the same coverage as they were permitted to write in their home state. At the same time they would be requiring the New Hampshire Department to approve their forms and provide consumer protections to their New Hampshire policyholders. This would be extremely expensive and, indeed, impossible for the Insurance Department to enforce as they only provide oversight for New Hampshire laws, approved rules and forms. It would also violate laws requiring all insurance companies operating under their jurisdiction to be duly licensed in the state of New Hampshire. **Vote 18-1.**

Original: House Clerk
Cc: Committee Bill File

Stapler, Carol

From: EdoftheNotch@aol.com
Sent: Wednesday, January 27, 2010 11:08 AM
To: Stapler, Carol
Subject: Re: Emailing: HB 1585 Blurb.doc
Attachments: HB1585Blurb -Ed.doc

here's the revision --

Ed

In a message dated 1/26/2010 3:24:58 P.M. Eastern Standard Time, carol.stapler@leg.state.nh.us writes:

<<HB 1585 Blurb.doc>>
Your files are attached and ready to send with this message.

COMMITTEE REPORT

COMMITTEE: COMMERCE AND CONSUMER AFFAIRS
BILL NUMBER: 1585-FN
TITLE: ALLOWING HEALTH INSURANCE POLICIES TO BE SOLD
WITHOUT MANDATES
DATE: 11/26/2010 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
 OUGHT TO PASS W/ AMENDMENT
 INEXPEDIENT TO LEGISLATE
 INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

THIS BILL, IF PASSED AS WRITTEN, WOULD REQUIRE NEW HAMPSHIRE
TO ALLOW HEALTH INSURANCE POLICIES WRITTEN BY ANY INSURANCE COMPANY
LICENSED TO DO BUSINESS IN ANY STATE TO BE SOLD TO NEW HAMPSHIRE
RESIDENTS WITHOUT BEING BOUND TO COVER NEW HAMPSHIRE MANDATED
COVERAGES AS LONG AS THEY WERE PROVIDING THE SAME COVERAGES AS THEY
WERE PERMITTED TO WRITE IN THEIR HOME STATE. AT THE SAME TIME THEY
WOULD BE REQUIRING THE NEW HAMPSHIRE DEPT TO APPROVE THEIR FORMS AND
PROVIDE CONSUMER PROTECTIONS TO THEIR NEW HAMPSHIRE POLICYHOLDERS. THIS
WOULD BE AN EXTREMELY EXPENSIVE AND IMPOSSIBLE FOR THEM TO ENFORCE AS
THEY ONLY MAINTAIN LAWS FOR NEW HAMPSHIRE APPROVED RULES AND FORMS.
IT WOULD ALSO VIOLATE LAWS REQUIRING ALL INSURANCE COMPANIES OPERATING
UNDER THEIR JURISDICTION TO BE DUELY DUELY LICENSED IN THE STATE OF
NEW HAMPSHIRE.

COMMITTEE VOTE: 18-1

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. DONALD H. FLANDERS
For the Committee

HB 1585-FN
Rep. Donald Flanders

This bill, if passed as written, would require New Hampshire to allow health insurance policies written by any insurance company licensed to do business in any state, to be sold to New Hampshire residents. Such policies would not be bound to provide New Hampshire mandated coverages as long as they were providing the same coverage as they were permitted to write in their home state. At the same time they would be requiring the New Hampshire Department to approve their forms and provide consumer protections to their New Hampshire policyholders. This would be extremely expensive and, indeed, impossible for the Insurance Department to enforce as they only provide oversight for New Hampshire laws, approved rules and forms. It would also violate laws requiring all insurance companies operating under their jurisdiction to be duly licensed in the state of New Hampshire.