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HOUSE BILL NO. 1622

Offered January 10, 2007

Prefiled August 7, 2006

A BILL to amend and reenact § 38.2-3525 of the Code of Virginia, relating to group accident and sickness insurance coverage for dependent children who are full-time students.

Patron—Alexander

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 38.2-3525 of the Code of Virginia is amended and reenacted as follows:**

§ 38.2-3525. Group accident and sickness insurance coverages of spouses, dependent children or other persons.

A. Coverage under a group accident and sickness insurance policy, except a policy issued pursuant to subsection B of § 38.2-3521.1, may be extended to insure:

1. The spouse and any child who is under the age of 19 years or who is a dependent and a full-time student under 25 years of age, without regard to whether such child resides in the same household as the insured group member, or any class of spouse and dependent children, of each insured group member who so elects; and

2. Any other class of persons as may mutually be agreed upon by the insurer and the group policyholder.

B. The amount of accident and sickness insurance for the spouse, dependent child or other person shall not exceed the amount of accident and sickness insurance for the insured group member.

C. At the insurer's option and subject to the policyholder's election, the coverage for children of the insured group member may be extended beyond the ages established in subsection A. Any such extension of coverage shall be as mutually agreed upon by the insurer and the group policyholder.

D. Notwithstanding the provisions of § 38.2-3538, one certificate may be issued for each insured group member if a statement concerning any spouse's, dependent child's, or other person's coverage is included in the certificate.

E. If the policy extends coverage to a dependent child who is a full-time student, such coverage shall include coverage during any period that the student is on a medically necessary leave of absence from school. A leave of absence from school shall not be deemed to be medically necessary unless the student's attending physician has submitted to the insurer documentation and a certification substantiating the medical necessity of the leave of absence. A student's attending physician's documentation and certification of the medical necessity of a leave of absence from school shall be considered prima facie evidence of entitlement to coverage under this subsection. Coverage for a student on a medically necessary leave of absence from school shall (i) commence on the date of submission of the documentation and certification of the medical necessity of the leave of absence and (ii) continue for a period not to exceed 12 months or until the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes first. Any semester breaks in the schedule of the school at which a full-time student is enrolled shall not disqualify the dependent child from coverage.

INTRODUCED

HB1622