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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 24
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Callender and Sweeney

Abby Gerty, Research Analyst

SUMMARY

- Requires health plan issuers that offer Medicare supplement policies to individuals age 65 and over to offer the same policies, on the same terms, and at the same price to individuals younger than 65 who are eligible for Medicare.
- Prohibits such Medicare supplement policies from excluding coverage for preexisting conditions.
- Requires health plan issuers to offer a special enrollment period for such policies beginning the first day of January that immediately follows the effective date of the bill, and ending the first day of the ensuing July.
- Allows persons under age 65 who are enrolled in a policy issued under the bill to, within 60 days of the person's birthday, acquire a new Medicare supplemental policy from a different issuer offering the same coverage.

DETAILED ANALYSIS

Background

Medicare is health insurance provided by the federal government. It is offered to individuals who are age 65 or older and also to individuals who are disabled or suffering from end-stage renal disease or amyotrophic lateral sclerosis, commonly referred to as ALS. Medicare does not provide coverage for every health condition that might arise and also can require substantial cost sharing on the part of beneficiaries. Private insurers offer supplemental policies to cover these Medicare gaps. However, not every insurer offers supplemental Medicare policies to Medicare-eligible individuals under age 65.

Policy requirements

The bill requires health plan issuers that offer Medicare supplement policies to offer the same policy to all Medicare-eligible individuals, including those who are under age 65. The requirement applies beginning January 1 of the year following the provision's effective date. The bill also imposes several restrictions in how such policies are offered. First, the bill specifies that such policies must be offered on the same terms as the Medicare supplement policies offered to individuals age 65 and older. Any benefit, protection, policy, or procedure applicable to a plan for an individual age 65 or older must apply to Medicare supplement plans provided to individuals below that age.¹ The bill specifies that the premiums for coverage provided to individuals under age 65 and must be the same as the premiums for coverage provided to individuals who are 65 years of age.²

Plans issued to individuals under age 65 are subject to all existing laws pertaining to Medicare supplement policies. These laws touch on topics such as duplication of benefits, probationary periods, and recurrent conditions. The one exception involves exclusions for preexisting conditions. Current law allows Medicare supplement policies to exclude coverage for preexisting conditions up to six months after the policy has been issued.³ The bill prohibits any preexisting condition exclusions in policies issued under the bill.⁴ In other words, Medicare supplement policies issued to individuals over 65 could include a six month preexisting condition exclusion, whereas policies issued to individuals under 65 could not.

Special enrollment periods

The bill requires health plan issuers to offer a special enrollment period for policies issued under the bill. The period runs from the first day of January following the provision's effective date to the first day of the following July. During this period, any eligible person would be able to enroll in a policy offered under the bill.⁵ Additionally, the bill enables Medicare-eligible individuals who are under 65 years old, within 60 days of their birthday each year, to acquire a new Medicare supplement policy offering the same coverage as the person's existing policy from a different issuer.⁶

¹ R.C. 3923.3310(A) and (B); with conforming changes in R.C. 3923.33, 3923.331, 3923.332, 3923.337, 3923.338, 3923.339, and 3923.42.

² R.C. 3923.3310(C).

³ R.C. 3923.332(B), not in the bill.

⁴ R.C. 3923.3310(D).

⁵ R.C. 3923.3310(E).

⁶ R.C. 3923.3310(F).

HISTORY

Action	Date
Introduced	01-27-25
