

HOUSE No. 4799

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act increasing access to affordable health insurance coverage..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of Chapter 176M of the General Laws as appearing in the 2008
2 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof
3 the following subsection:-

4 (d) Notwithstanding any other provision in this section, a carrier may deny an eligible
5 individual in a health benefit plan if the carrier certifies to the commissioner that the carrier
6 intends to discontinue selling that health benefit plan to new eligible individuals. The
7 commissioner is authorized to promulgate regulations on how a carrier may transition existing
8 members in a plan that the carrier intends to close and for prohibiting a carrier from using this
9 paragraph to circumvent the intent of this chapter.