

HOUSE No. 893

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to accident and health insurance..

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

1 Paragraph (a of subsection (2) of section 108 of chapter 175 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by striking out subparagraph (3) and
3 inserting in place thereof the following subparagraph:-

4 (3) It purports to insure only 1 person, except that a policy must insure, originally or by
5 subsequent amendment, upon the application of an adult member of a family who shall be
6 deemed the policyholder, 2 or more eligible members of that family, including husband, wife,
7 dependent children or any children under a specified age not to exceed 25 years of age or 2 years
8 following loss of dependent status under the Internal Revenue Code, whichever occurs first, and
9 any other person dependent upon the policyholder. If a policy provides for termination of a
10 dependent child’s coverage at a specified age and if such a child is mentally or physically
11 incapable of earning his own living on the termination date, the policy shall continue to insure
12 such child while the policy is in force and so long as such incapacity continues, if due proof of
13 such incapacity is received by the insurer within 31 days of such termination date. The term

- 14 “dependent children” as used in this provision shall include children of adopting parents during
- 15 pendency of adoption procedures under chapter 210; and