

SENATE No. 455

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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 said chapter 176M, as recently amended by Chapter 58 of the
2 Acts of 2006, is hereby amended by striking out subsection (d) and inserting in place thereof the
3 following subsection:—

4 (d) As of July 1, 2009, a carrier shall no longer offer, sell, or deliver a health plan to any
5 person to whom it does not have such an obligation pursuant to an individual policy, contract or
6 agreement with an employer or through a trust or association; provided, however, that a closed
7 guaranteed issue plan or a closed health plan shall be subject to all the other requirements of this
8 chapter. A carrier shall be obligated to renew a closed guarantee issue health plan and a closed
9 plan. A carrier may discontinue a closed guarantee issue health plan or a closed plan when the
10 number of subscribers in a closed guaranteed issue plan or a closed plan is the greater of 25 per
11 cent of the plan's subscriber total as of December 31, 2004 or 1,000 subscribers.

12 SECTION 2. This Act shall take effect on July 1, 2009.