

SENATE No. 489

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to group 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 SECTION 1. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by adding in lines 44 and 85 after the words “a policy” the
3 following:- which qualifies as creditable coverage pursuant to c. 111M and is

4 SECTION 2. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
5 Official Edition, is hereby amended by adding in lines 62, 145 and 164 after the words “a policy”
6 the following:- which qualifies as creditable coverage pursuant to c. 111M and

7 SECTION 3. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
8 Official Edition, is hereby amended by striking in lines 47 and 50 the words “A policy” and
9 adding, in place thereof, the following:- Any such policy

10 SECTION 4. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
11 Official Edition, is hereby amended by adding, in line 62 after the words “of this section.” the
12 following:- Any general or blanket policy which does not qualify as creditable coverage pursuant
13 to c. 111M and is delivered or issued for delivery in the commonwealth, and any certificate and

14 the schedule of premium charges issued in connection with such policy, shall be furnished to the
15 commissioner upon his request. Any such policy on which the premiums are paid by the
16 policyholder wholly from the employer's funds or funds contributed by him, insuring all eligible
17 employees, shall be deemed a general or blanket policy within the meaning of this section. Any
18 such policy on which the premiums are paid by the policyholder, either partly from the
19 employer's funds or funds contributed by him and partly from funds contributed by the insured
20 employees, or wholly from funds contributed by the insured employees, and the benefits of
21 which are offered to all eligible employees shall be deemed a general or blanket policy within the
22 meaning of this section.

23 SECTION 4. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
24 Official Edition, is hereby amended by adding, in line 90 after the words "may be so insured."
25 the following:- A policy which does not qualify as creditable coverage pursuant to c. 111M and
26 on which the premiums are paid by the trustees of a fund, established as described in clause (h)
27 of this subdivision, wholly from funds contributed by the employer or employers of the
28 employees, or by the union or association, or by the union or associations, or by both, or on
29 which the premiums are paid by such trustees partly from such funds contributed by the
30 employer or employers of the employees, or by the union or unions or association or
31 associations, or both, and partly from funds contributed by the insured persons specifically for
32 their insurance, and insuring all eligible employees of the employer or employers and/or all the
33 eligible members of the union or unions or association or associations, or all eligible employees
34 or members of any class or classes thereof determined by conditions pertaining to their
35 employment, or to membership in the union or unions, or association or associations, or to both,
36 or such a policy on which the premiums are paid by such trustees partly or wholly from funds

37 contributed by the insured persons specifically for their insurance the benefits of which are
38 offered to all eligible employees of the employer or employers and/or all eligible members of the
39 union or unions or association or associations, or all eligible employees or members of any class
40 or classes thereof determined by conditions pertaining to their employment, or to membership in
41 the union or unions, or association or associations, or to both, or such a policy issued to the
42 trustees of a fund established by one or more employers and one or more such trade unions or
43 associations, the premiums on which are paid by such trustees partly from such funds contributed
44 by the employers, unions or associations, or both, and partly or wholly from funds contributed by
45 the insured persons specifically for their insurance, and the benefits of which are offered to all
46 eligible persons, who remit funds for premium payments to the trustees, shall also be deemed a
47 general or blanket policy within the meaning of this section. In case of a policy which does not
48 qualify as creditable coverage pursuant to c. 111M and is issued to a trade union or association
49 under clause (g) of this subdivision on which the premium is to be paid by the trade union or
50 association, or the trade union, association and its members jointly, or wholly by its members,
51 and the benefits of the policy are offered to all eligible members, shall also be deemed a general
52 or blanket policy within the meaning of this section.

53 SECTION 5. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
54 Official Edition, is hereby amended, by adding, in line 98 after the words “retired employees;”
55 the following:- former employees,

56 SECTION 7. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
57 Official Edition, is hereby amended, by adding in line 151 after the words “of this section.” the
58 following sentence:- A policy which does not qualify as creditable coverage pursuant to c. 111M
59 and on which the premium is paid by the members of the association and the benefits of which

60 are offered to all its members shall be deemed to be a general or blanket policy within the
61 meaning of this section.

62 SECTION 8. Section 110 of chapter 175 of the General Laws, as appearing in the 2006
63 Official Edition, is hereby amended by adding in line 175 after the words “of this section.” the
64 following sentence:- A policy which does not qualify as creditable coverage pursuant to c. 111M
65 and on which the premiums are paid by the policy holder, either partly from funds of or
66 contributed by such policy holder and partly from funds contributed by the insured independent
67 contractor newspaperboys or wholly from funds contributed by such newspaperboys and the
68 benefits of which are offered to all eligible newspaperboys shall be deemed to be a general or
69 blanket policy within the meaning of this section.