

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1008 be amended to read as follows:

- 1 Page 13, between lines 29 and 30, begin a new paragraph and insert:
- 2 "SECTION 16. IC 27-8-5-2, AS AMENDED BY P.L.125-2005,
- 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2007]: Sec. 2. (a) No individual policy of accident and
- 5 sickness insurance shall be delivered or issued for delivery to any
- 6 person in this state unless it complies with each of the following:
- 7 (1) The entire money and other considerations for the policy are
- 8 expressed in the policy.
- 9 (2) The time at which the insurance takes effect and terminates is
- 10 expressed in the policy.
- 11 (3) The policy purports to insure only one (1) person, except that
- 12 a policy may insure, originally or by subsequent amendment,
- 13 upon the application of any member of a family who shall be
- 14 deemed the policyholder and who is at least eighteen (18) years
- 15 of age, any two (2) or more eligible members of that family,
- 16 including husband, wife, dependent children, or any children
- 17 ~~under a specified age, which shall not exceed nineteen (19) who~~
- 18 **are less than twenty-four (24) years of age, and any other person**
- 19 **dependent upon the policyholder.**
- 20 (4) The style, arrangement, and overall appearance of the policy
- 21 give no undue prominence to any portion of the text, and unless
- 22 every printed portion of the text of the policy and of any
- 23 endorsements or attached papers is plainly printed in lightface
- 24 type of a style in general use, the size of which shall be uniform

- 1 and not less than ten point with a lower-case unspaced alphabet
2 length not less than one hundred and twenty point (the "text" shall
3 include all printed matter except the name and address of the
4 insurer, name or title of the policy, the brief description if any,
5 and captions and subcaptions).
- 6 (5) The exceptions and reductions of indemnity are set forth in the
7 policy and, except those which are set forth in section 3 of this
8 chapter, are printed, at the insurer's option, either included with
9 the benefit provision to which they apply, or under an appropriate
10 caption such as "EXCEPTIONS", or "EXCEPTIONS AND
11 REDUCTIONS", provided that if an exception or reduction
12 specifically applies only to a particular benefit of the policy, a
13 statement of such exception or reduction shall be included with
14 the benefit provision to which it applies.
- 15 (6) Each such form of the policy, including riders and
16 endorsements, shall be identified by a form number in the lower
17 left-hand corner of the first page of the policy.
- 18 (7) The policy contains no provision purporting to make any
19 portion of the charter, rules, constitution, or bylaws of the insurer
20 a part of the policy unless such portion is set forth in full in the
21 policy, except in the case of the incorporation of or reference to
22 a statement of rates or classification of risks, or short-rate table
23 filed with the commissioner.
- 24 (8) If an individual accident and sickness insurance policy or
25 hospital service plan contract or medical service plan contract
26 provides that hospital or medical expense coverage of a
27 dependent child terminates upon attainment of the limiting age for
28 dependent children specified in such policy or contract, the policy
29 or contract must also provide that attainment of such limiting age
30 does not operate to terminate the hospital and medical coverage
31 of such child while the child is and continues to be both:
- 32 (A) incapable of self-sustaining employment by reason of
33 mental retardation or mental or physical disability; and
34 (B) chiefly dependent upon the policyholder for support and
35 maintenance.
- 36 Proof of such incapacity and dependency must be furnished to the
37 insurer by the policyholder within thirty-one (31) days of the child's
38 attainment of the limiting age. The insurer may require at reasonable
39 intervals during the two (2) years following the child's attainment of the
40 limiting age subsequent proof of the child's disability and dependency.
41 After such two (2) year period, the insurer may require subsequent
42 proof not more than once each year. The foregoing provision shall not
43 require an insurer to insure a dependent who is a mentally retarded or
44 mentally or physically disabled child where such dependent does not
45 satisfy the conditions of the policy provisions as may be stated in the
46 policy or contract required for coverage thereunder to take effect. In

1 any such case, the terms of the policy or contract shall apply with
2 regard to the coverage or exclusion from coverage of such dependent.
3 This subsection applies only to policies or contracts delivered or issued
4 for delivery in this state more than one hundred twenty (120) days after
5 August 18, 1969.

6 (b) If any policy is issued by an insurer domiciled in this state for
7 delivery to a person residing in another state, and if the official having
8 responsibility for the administration of the insurance laws of such other
9 state shall have advised the commissioner that any such policy is not
10 subject to approval or disapproval by such official, the commissioner
11 may by ruling require that such policy meet the standards set forth in
12 subsection (a) and in section 3 of this chapter.

13 (c) An insurer may issue a policy described in this section in
14 electronic or paper form. However, the insurer shall:

15 (1) inform the insured that the insured may request the policy in
16 paper form; and

17 (2) issue the policy in paper form upon the request of the
18 insured."

19 Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as printed February 20, 2007.)

Representative Brown T