

ASSEMBLY BILL NO. 180—ASSEMBLYWOMAN HANSEN

FEBRUARY 25, 2021

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing policies to supplement Medicare. (BDR 57-857)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to insurance; requiring the adoption of certain regulations governing policies to supplement Medicare for certain persons with disabilities; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing federal law provides for the Medicare program, which is a public  
2 health insurance program for persons 65 years of age and older and specified  
3 persons with disabilities who are less than 65 years of age. (42 U.S.C. §§ 1395 et  
4 seq.) Existing law authorizes the Commissioner of Insurance to adopt regulations  
5 relating to the form, content and sale of policies of insurance which provide for the  
6 payment of expenses which are not covered by Medicare. (NRS 687B.430) This  
7 bill defines the term “policy to supplement Medicare” to refer to such policies and  
8 requires the Commissioner to adopt such regulations.

9 This bill requires those regulations to require an insurer offering policies to  
10 supplement Medicare to offer all policies that: (1) provide coverage for persons  
11 who are less than 65 years of age and who qualify for Medicare by reason of  
12 disability; and (2) are guaranteed to be issued under federal law. This bill  
13 additionally requires the Commissioner to adopt regulations that authorize insurers  
14 to develop rates for premiums that are specific to such persons.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 687B.430 is hereby amended to read as  
2 follows:

3 687B.430 1. The Commissioner ~~may~~ *shall* adopt  
4 regulations relating to the form, content and sale of policies ~~of~~



1 ~~insurance which provide for the payment of expenses which are not~~  
2 ~~covered by]~~ to supplement Medicare. *The regulations must:*

3 *(a) Require each insurer offering policies to supplement*  
4 *Medicare to offer all policies that:*

5 *(1) Provide coverage for persons who are less than 65 years*  
6 *of age and eligible for Medicare by reason of disability, as*  
7 *prescribed by 42 U.S.C. § 426(b); and*

8 *(2) The insurer is required to issue on a guaranteed issue*  
9 *basis under the provisions of 42 U.S.C. § 1395ss.*

10 *(b) Authorize insurers to develop rates for premiums that are*  
11 *specific to the persons described in paragraph (a).*

12 2. The Commissioner may adopt regulations relating to the sale  
13 of more than one policy of health insurance to the same person.

14 3. As used in this section ~~§~~ :

15 *(a) “Medicare” means the program of health insurance for aged*  
16 *persons and persons with disabilities established pursuant to Title*  
17 *XVIII of the Social Security Act (42 U.S.C. §§ 1395 et seq.).*

18 *(b) “Policy to supplement Medicare” means a group or*  
19 *individual policy of insurance, or a subscriber contract, other than*  
20 *a policy issued pursuant to section 1876 of the Social Security Act,*  
21 *42 U.S.C. § 1395mm, or pursuant to a demonstration project that*  
22 *is advertised, marketed or designed primarily as a supplement to*  
23 *the reimbursements provided under Medicare for the hospital,*  
24 *medical or surgical expenses of persons eligible for Medicare. The*  
25 *term does not include Medicare Advantage plans established*  
26 *under Medicare Part C, 42 U.S.C. §§ 1395w-21 et seq., Outpatient*  
27 *Prescription Drug plans established under Medicare Part D, 42*  
28 *U.S.C. § 1396r-8, or any Health Care Prepayment Plan that*  
29 *provides benefits pursuant to an agreement under section*  
30 *1833(a)(1)(A) of the Social Security Act, 42 U.S.C. §*  
31 *1395l(a)(1)(A).*

32 **Sec. 2.** 1. This section becomes effective upon passage and  
33 approval.

34 2. Section 1 of this act becomes effective:

35 (a) Upon passage and approval for the purpose of adopting any  
36 regulations and performing any other preparatory administrative  
37 tasks that are necessary to carry out the provisions of this act; and

38 (b) On January 1, 2022, for all other purposes.

