

Amendment No. 368

Assembly Amendment to Assembly Bill No. 180	(BDR 57-857)
<b>Proposed by:</b> Assembly Committee on Commerce and Labor	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SRF/EWR



Date: 4/19/2021

A.B. No. 180—Revises provisions governing policies of insurance which provide for the payment of expenses which are not covered by Medicare. (BDR 57-857)





ASSEMBLY BILL NO. 180—ASSEMBLYWOMAN HANSEN

FEBRUARY 25, 2021

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing policies ~~{of insurance which provide for the payment of expenses which are not covered by}~~ **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 ~~{to require insurers offering}~~ **governing** policies ~~{of insurance which provide for the payment of expenses which are not covered by}~~ **to supplement** Medicare ~~{to offer at least one such policy to provide coverage to}~~ **for** certain persons with ~~{a disability;}~~ **disabilities;** and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

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

—This bill requires **those regulations to require** an insurer offering ~~{such a policy}~~ **policies to supplement Medicare** to offer ~~{at least one such policy to}~~ **all policies that: (1) provide coverage for persons who are less than 65 years of age and who qualify for Medicare {because of a} by reason of disability {;} ; and (2) are guaranteed to be issued under federal law. This bill additionally requires the Commissioner to adopt regulations that authorize insurers 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:

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

687B.430 1. The Commissioner ~~{may}~~ **shall** adopt regulations relating to the form, content and sale of policies ~~{of insurance which provide for the payment~~

1 ~~of expenses which are not covered by]~~ to supplement Medicare. *The regulations*  
2 *must [require] :*

3 (a) Require each insurer offering ~~[such a policy]~~ policies to supplement  
4 Medicare to offer ~~[at least one such policy to provide]~~ all policies that:

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

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

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

12 2. The Commissioner may adopt regulations relating to the sale of more than  
13 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 persons and  
16 persons with disabilities established pursuant to Title XVIII of the Social Security  
17 Act (42 U.S.C. §§ 1395 et seq.).

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

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

30 2. Section 1 of this act becomes effective:

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

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