

HOUSE BILL 245

Introduced by T. Nelson, et al.

1/17	Introduced
1/17	Referred to Human Services & Aging
1/18	First Reading
2/01	Hearing
2/01	Tabled in Committee
2/22	Tabled in Committee

1
 2 INTRODUCTION BY House BILL NO. 245
 3 Jim Nelson Warren Quarrell
Asst

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING HEALTH CARE
 5 INSURANCE MANDATES TO APPLY TO EMPLOYEE WELFARE BENEFIT
 6 PLANS UNDER THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY
 7 ACT OF 1974; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND
 8 AN APPLICABILITY PROVISION."
 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Legislative findings. The
 12 legislature recognizes the amount of legislation each
 13 session that requires disability insurers or health service
 14 corporations to provide or offer certain health care
 15 coverage or services as a component of insurance policies.
 16 The cost of mandated health care coverage or services is a
 17 serious concern and is a factor contributing to the lack of
 18 access by segments of the population to affordable health
 19 care insurance.

20 NEW SECTION. Section 2. Legislation mandating health
 21 care coverage or services to apply to ERISA benefit plans.
 22 (1) Legislation requiring disability insurers or health
 23 service corporations to provide or offer certain health care
 24 coverage or services as minimum benefits to an insured may
 25 not be introduced or enacted unless the legislation applies

1 equally to employee welfare benefit plans under the federal
 2 Employee Retirement Income Security Act of 1974 (29 U.S.C.
 3 1001, et seq.).

4 (2) Legislation enacted in violation of subsection (1)
 5 may not take effect and must be declared void if challenged
 6 in a court having proper jurisdiction.

7 (3) Legislation enacted after [the effective date of
 8 this act] may not be considered to supersede or modify this
 9 section, whether by implication or otherwise, except to the
 10 extent the legislation expressly does so.

11 (4) For purposes of this section, "health care coverage
 12 or services" means the provision of care, products, or
 13 services for the diagnosis, prevention, treatment, or cure
 14 of human illness, disease, injury, or disability.

15 NEW SECTION. Section 3. Codification instruction.
 16 [Sections 1 and 2] are intended to be codified as an
 17 integral part of Title 33, chapter 22, and the provisions of
 18 Title 33, chapter 22, apply to [sections 1 and 2].

19 NEW SECTION. Section 4. Effective date --
 20 applicability. [This act] is effective on passage and
 21 approval and applies to any legislation enacted by the 52nd
 22 legislature.

-End-

INTRODUCED BILL
 HB 245

