CHAPTER NO. 169

HOUSE BILL NO. 505

INTRODUCED BY LUND, GESEK

BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

IN THE HOUSE

February	1, 1979		Introduced and referred to Committee on Judiciary.
February	9, 1979		Committee recommend bill do pass. Report adopted.
February	10, 1979		Printed and placed on members' desks.
February	12, 1979		Motion pass consideration.
February	13, 1979		Second reading, do pass.
February	14, 1979		Considered correctly engrossed.
February	15, 1979		Third reading, passed. Transmitted to second house.
		IN THE SE	NATE
February	16, 1979		Introduced and referred to Committee on Public Health, Welfare, and Safety.
March 5,	1979		Committee recommend bill be concurred in. Report adopted
March 7,	1979		Second reading, concurred in.
March 9,	1979		Third reading, concurred in.
		IN THE HO	DUSE
March 10,	, 1979		Returned from second house. Concurred in. Sent to enrolling
			Reported correctly enrolled.

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TOUSE BILL NO. 505 1 INTRODUCED BY z BY REQUEST OF THE DEPARTMENT OF SOCIAL 3 AND REHABILITATION SERVICES 4

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT EXCLUSIONS 7 FROM INSURANCE POLICIES AND MEMBERSHIP CONTRACTS WHICH 8 REDUCE OR DENY BENEFITS TO PERSONS ELIGIBLE TO RECEIVE 9 PUBLIC MEDICAL ASSISTANCE; AMENDING SECTIONS 33-22-112 AND 10 33-30-1002, MCA."

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AF IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 13 Section 1. Section 33-22-112, MCA, is amended to read: 14 *33-22-112. Disability insurance coverage of services of state institutions -- provision void -- rate of payment. 15 16 (1) From and after February 14, 1973, it shall be unlawful for any insurance company issuing disability insurance 17 policies in Montana to exclude from coverage in a disability 18 insurance policy services rendered the insured while a 19 resident in a Montana state institution, provided such the 20 services to such the insured would be covered by such the 21 disability insurance policy if rendered to him outside such 22 23 a Montana state institution.

24 (2) A disability insurance policy shall-be--deemed--to
 25 be is considered "issued in Montana" if the insured

purchasing such the disability insurance policy is, at the 1 2 time of such the purchase, residing in the state of Montana. 3 (3) If the exclusion prohibited by this section should 4 appear in a disability insurance policy issued in Montana after February 14, 1973, such the provision shall-be--deemed 5 is void and such the disability insurance policy will be 6 deemed considered to cover services rendered the insured in 7 a Montana state institution if such the services would have я 9 been covered if rendered to an insured outside of a Montana 10 state institution.

11 (4) Payment for services rendered in a Montana state 12 institution shall be to the same extent and at the same 13 rates, according to the provisions of such the disability 14 policy, which would be paid for such the services if 15 rendered outside a Montana state institution."

16 NEW_SECTION: Section 2. Disability insurance coverage 17 of persons eligible for public medical assistance. No disability insurance policy providing hospital, medical, or 18 19 surgical expense benefits delivered or issued for delivery in this state on or after July 1, 1979, may contain any 20 provision denving or reducing such benefits for the reason 21 that the person insured is eligible for or receiving public 22 23 medical assistance provided under Title 53, chapter 2. Section 3. Section 33-30-1002, MCA, is amended to 24

25 read:

-2- HIS SUST INTRODUCED BILL

1 *33-30-1002. Disability coverage of services of received in state institutions from public medical 2 3 assistance -- provision void -- rate of payment. (1) From 4 and after February 14, 1973, it shall be unlawful for any 5 health service corporation issuing disability--insurance 6 policies membership contracts in Montana to exclude from 7 coverage in a disability-insurance---policy genbership 8 contract services rendered the insured while a resident in a 9 Montana state institution, provided such the services to 10 such the insured would be covered by such--disability 11 insurance--policy the membership contract if rendered to him 12 outside such a Montana state institution.

13 (2) A disability-insurance-policy-shall-be-deemed-to be membership contract is considered "issued in Nontana" if the insured purchasing such-disability-insurance-policy the membership, contract is, at the time of such purchase, residing in the state of Montana.

18 (3) If the exclusiony prohibited by this sectiony 19 should appear in a disability-insurance-policy membership 20 contract issued in Montana after February 14, 1973, such the 21 provision shall--be--deemed is void and such--disability 22 insurance--policy the membership contract will be deemed 23 considered to cover services rendered the insured in a 24 Montana state institution if such the services would have 25 been covered if rendered to an insured outside of a Montana

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2	(4) Payment for services rendered in a Montana state
3	institution shall be to the same extent and at the same
4	rates, according to the provisions of such-disability-policy
5	the membership contract, which would be paid for such the
6	services if rendered outside a Montana state institution.
7	(5) No membership contract issued by a health service
8	corporation on or after July 1, 1979, may deny or reduce
9	benefits to any member on the ground that the person insured
10	is eligible for or receiving public medical assistance
11	provided under Title 53+ chapter 2+"
12	Section 4. Codification. It is intended that section 2
13	be codified as an integral part of Title 33, chapter 22,
14	part 1, and the definitions and provisions of Title 33,
15	chapter 22, apply to section 2.
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46th Legislature

LC 0718/01

	Approved by Committee on Judiciary
1	HOUSE BILL NO. 505
z	INTRODUCED BY _ June Lesek
3	BY REQUEST OF THE DEPARTMENT OF SOCIAL
4	AND REHABILITATION SERVICES
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT EXCLUSIONS
7	FROM INSURANCE POLICIES AND MEMBERSHIP CONTRACTS WHICH
8	REDUCE OR DENY BENEFITS TO PERSONS ELIGIBLE TO RECEIVE
9	PUBLIC MEDICAL ASSISTANCE; AMENDING SECTIONS 33-22-112 AND
10	33-30-1002, MCA.*
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 33-22-112, MCA, is amended to read:
14	#33-22-112。 Disability insurance coverage of services
15	of state institutions provision void rate of payment.
16	(1) From and after February 14, 1973, it shall be unlawful
17	for any insurance company issuing disability insurance
18	policies in Montana to exclude from coverage in a disability
19	insurance policy services rendered the insured while a
20	resident in a Montana state institution, provided such the
21	services to such <u>the</u> insured would be covered by such <u>the</u>
22	disability insurance policy if rendered to him outside such
23	<u>a</u> Montana state institution.
24	(2) A disability insurance policy shall-bedeemedto
25	be <u>is considered</u> "issued in Montana" if the insured

purchasing such the disability insurance policy is. at the 1 2 time of such the purchase, residing in the state of Montana. (3) If the exclusion prohibited by this section should 3 appear in a disability insurance policy issued in Montana 4 5 after February 14, 1973, such the provision shall-be---deemed is void and such the disability insurance policy will be 6 7 deemed considered to cover services rendered the insured in a Nontana state institution if such the services would have .8 9 been covered if rendered to an insured outside of a Montana 10 state institution.

11 (4) Payment for services rendered in a Montana state 12 institution shall be to the same extent and at the same 13 rates, according to the provisions of such the disability 14 policy, which would be paid for such the services if 15 rendered outside a Montana state institution.*

NEW_SECTION: Section 2. Disability insurance coverage 16 17 of persons eligible for public medical assistance. No 18 disability insurance policy providing hospital, medical, or 19 surgical expense benefits delivered or issued for delivery 20 in this state on or after July 1, 1979, may contain any 21 provision denying or reducing such benefits for the reason 22 that the person insured is eligible for or receiving public medical assistance provided under Title 53, chapter 2. 23

24 Section 3. Section 33-30-1002, MCA, is amended to 25 read:

-2- HIS SOS SECOND READING

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1 #33-30-1002. Disability coverage of services of 2 received in state institutions from public medical assistance -- provision void -- rate of payment. (1) From 3 4 and after February 14, 1973, it shall be unlawful for any health service corporation issuing disability--insurance 5 6 policies membership contracts in Montana to exclude from 7 coverage in a disability--insurance---policy membership 8 contract services rendered the insured while a resident in a 9 Montana state institution: provided such the services to such the insured would be covered by such-disability 10 11 insurance--policy the membership contract if rendered to him 12 outside such a Montana state institution.

13 (2) A disability-insurance-policy-shall-be-deemed-to be membership contract is considered "issued in Nontana" if 15 the insured purchasing such-disability-insurance-policy the 16 membership contract is, at the time of such purchase, 17 residing in the state of Montana.

18 (3) If the exclusion- prohibited by this section-19 should appear in a disability-insurance-policy membership contract issued in Montana after February 14+ 1973, such the 20 provision shall-be-deemed is void and such-disability 21 22 insurance--policy the membership contract will be deemed 23 considered to cover services rendered the insured in a 24 Montana state institution if such the services would have been covered if rendered to an insured outside of a Montana 25

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1 state institution.

2	(4) Payment for services rendered in a Montana state
3	institution shall be to the same extent and at the same
4	rates, according to the provisions of such-disability-policy
5	the membership contract, which would be paid for such the
6	services if rendered outside a Montana state institution.
7	(5) No membership contract issued by a health service
8	corporation on or after July 1, 1979, may deny or reduce
9	benefits to any member on the ground that the person insured
10	is eligible for or receiving public medical assistance
11	provided under Title 53. chapter 2.
12	Section 4. Codification. It is intended that section 2
13	be codified as an integral part of Title 33. chapter 22.
14	part 1, and the definitions and provisions of Title 33,
15	chapter 22, apply to section 2.

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46th Legislature

LC 0718/01

HOUSE BILL NO. 505 1 2 INTRODUCED BY BY REQUEST OF THE DEPARTMENT OF SOCIAL 3 AND REHABILITATION SERVICES 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT EXCLUSIONS 6 7 FROM INSURANCE POLICIES AND MEMBERSHIP CONTRACTS WHICH REDUCE OR DENY BENEFITS TO PERSONS ELIGIBLE TO RECEIVE 8 9 PUBLIC MEDICAL ASSISTANCE: AMENDING SECTIONS 33-22-112 AND 10 33-30-1002, MCA.* 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 13 Section 1. Section 33-22-112, MCA, is amended to read: #33-22-112. Disability insurance coverage of services 14 15 of state institutions -- provision void -- rate of payment. (1) From and after February 14, 1973, it shall be unlawful 16 17 for any insurance company issuing disability insurance policies in Montana to exclude from coverage in a disability 18 19 insurance policy services rendered the insured while a 20 resident in a Montana state institution, provided such the 21 services to such the insured would be covered by such the disability insurance policy if rendered to him outside such 22 23 a Montana state institution. 24 (2) A disability insurance policy shall-be--doemed--to

25 be is considered "issued in Montana" if the insured

1 purchasing such the disability insurance policy is, at the time of such the purchase, residing in the state of Montana. 2 3 (3) If the exclusion prohibited by this section should appear in a disability insurance policy issued in Montana 4 5 after february 14, 1973, such the provision shatt-be--deemed is void and such the disability insurance policy will be 6 7 desmed considered to cover services rendered the insured in a Montana state institution if such the services would have A Q been covered if rendered to an insured outside of a Montana state institution. 10

11 (4) Payment for services rendered in a Montana state 12 institution shall be to the same extent and at the same 13 rates, according to the provisions of such the disability 14 policy, which would be paid for such the services if 15 rendered outside a Montana state institution."

NEW_SECTION. Section 2. Disability insurance coverage 16 17 of persons eligible for public medical assistance. No disability insurance policy providing hospital, medical, or 18 19 surgical expense benefits delivered or issued for delivery 20 in this state on or after July 1, 1979, may contain any 21 provision denying or reducing such benefits for the reason 22 that the person insured is eligible for or receiving public 23 medical assistance provided under Title 53, chapter 2. 24 Section 3. Section 33-30-1002, MCA, is amended to

25 read:

HB SOS -2-THIRD READING

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state institution.

1 #33-30-1002. Disability coverage of services of 2 received in state institutions from public medical assistance -- provision void -- rate of payment. (1) From 3 and after February 14, 1973, it shall be unlawful for any 4 health service corporation issuing disability--insurance 5 6 policies membership contracts in Montana to exclude from coverage in a disobility--insurance---policy membership 7 8 contract services rendered the insured while a resident in a 9 Montana state institution, provided such the services to such the insured would be covered by such--disability 10 insurance--policy the membership contract if rendered to him 11 outside such a Montana state institution. 12

13 (2) A disability-insurance-policy-shall-be--deemed--to be membership contract is considered "issued in Montana" if 15 the insured purchasing such-disability-insurance-policy the 16 membership contract is, at the time of such purchase, 17 residing in the state of Montana.

18 (3) If the exclusiony prohibited by this sectiony 19 should appear in a disability-insurance-policy membership contract issued in Montana after February 14+ 1973, such the 20 provision shall--deemed is void and such--disability 21 22 insurance--policy the membership contract will be deemed 23 considered to cover services rendered the insured in a Montana state institution if such the services would have 24 25 been covered if rendered to an insured outside of a Montana

2 (4) Payment for services rendered in a Montana state 3 institution shall be to the same extent and at the same rates, according to the provisions of such-disability-policy 4 5 the membership contract, which would be paid for such the 6 services if rendered outside a Montana state institution. 7 (5) No membership contract issued by a health service 8 corporation on or after July 1, 1979, may deny or reduce 9 benefits to any member on the ground that the person insured is eligible for or receiving public medical assistance 10 11 provided under Title 53. chapter 2." 12 Section 4. Codification. It is intended that section 2 13 be codified as an integral part of Title 33, chapter 22, 14 part 1, and the definitions and provisions of Title 33, chapter 22, apply to section 2. 15

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46th Legislature

HB 0505/02

HB 0505/02

1	HOUSE BILL NO. 505
2	INTRODUCED BY LUND. GESEK
3	BY REQUEST OF THE DEPARTMENT OF SOCIAL
4	AND REHABILITATION SERVICES
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT EXCLUSIONS
٦	FROM INSURANCE POLICIES AND MEMBERSHIP CONTRACTS WHICH
8	REDUCE OR DENY BENEFITS TO PERSONS ELIGIBLE TO RECEIVE
9	PUBLIC MEDICAL ASSISTANCE; AMENDING SECTIONS 33-22-112 AND
10	33-30-1002+ MCA+"
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24 (2) A disability insurance policy shall-be--deemed--to 25 be is considered "issued in Montana" if the insured

1 purchasing such the disability insurance policy is, at the time of such the purchase, residing in the state of Montana. 2 3 (3) If the exclusion prohibited by this section should 4 appear in a disability insurance policy issued in Montana after February 14, 1973, such the provision shell-be--deemed 5 is void and such the disability insurance policy will be 5 7 deemed considered to cover services rendered the insured in a Montana state institution if such the services would have 8 9 been covered if rendered to an insured outside of a Montana state institution. 10

11 (4) Payment for services rendered in a Montana state 12 institution shall be to the same extent and at the same 13 rates, according to the provisions of such the disability 14 policy, which would be paid for such the services if 15 rendered outside a Montana state institution.*

16 NEW_SECTION. Section 2. Disability insurance coverage 17 of persons eligible for public medical assistance. No 18 disability insurance policy providing hospital, medical, or 19 surgical expense benefits delivered or issued for delivery 20 in this state on or after July 1+, 1979, may contain any 21 provision denying or reducing such benefits for the reason that the person insured is eligible for or receiving public 22 23 medical assistance provided under Title 53, chapter 2.

Section 3. Section 33-30-1002, MCA, is amended to 24 25 read:

> -2- REFERENCE BILL HB 505

HB 0505/02

1 *33-30-1002. Disability coverage of services of 2 received___in state institutions from public medical 3 assistance -- provision void -- rate of payment. (1) From and after February 14, 1973, it shall be unlawful for any 4 5 health service corporation issuing disability--insurance policies membership_contracts in Montana to exclude from 6 7 coverage in a disobility--insurance---policy membership 8 contract services rendered the insured while a resident in a 9 Montana state institution, provided such the services to 10 such the insured would be covered by such--disability 11 insurance--policy the membership contract if rendered to him outside such a Montana state institution. 12

13 (2) A disobility-insurance-policy-shall-be-deemed-to
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(3) If the exclusiony prohibited by this sectiony 18 19 should appear in a disability-insurance-policy membership 20 contract issued in Montana after February 14, 1973, such the 21 provision shatt--be--deemed is void and such--disability 22 insurance--policy the membership contract will be deemed 23 considered to cover services rendered the insured in a 24 Montana state institution if such the services would have 25 been covered if rendered to an insured outside of a Montana 1 state institution.

Z (4) Payment for services rendered in a Montana state institution shall be to the same extent and at the same 3 rates, according to the provisions of such-disobility-policy 4 the membership contract, which would be paid for such the 5 services if rendered outside a Montana state institution. 6 7 (5) No membership contract issued by a health service corporation on or after July 1: 1979: may deny or reduce 8 benefits to any member on the ground that the person insured Q. 10 is eligible for or receiving public medical assistance 11 provided under Title 53. chapter 2." Section 4. Codification. It is intended that section 2 12 13 be codified as an integral part of Title 33, chapter 22, part 1, and the definitions and provisions of Title 33, 14 15 chapter 22+ apply to section 2+

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