

SENATE BILL 279

Introduced by Jacobson, et al.

1/28	Introduced
1/28	Referred to Business & Industry
2/08	Hearing
2/17	Minority Committee Report--Bill Passed as Amended
2/17	Majority Committee Report--Bill Not Passed as Amended
2/17	Minority Report Adopted
2/20	2nd Read Do Pass Motion Failed
2/20	2nd Reading Indefinitely Postponed

1 *Senate* BILL NO. *279*  
 2 INTRODUCED BY *Jacobson Thomas Lynch*  
 3 *MERCER W. Volkening Vincent*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING INSURANCE  
 5 COMPANIES AND HEALTH SERVICE CORPORATIONS TO PROVIDE  
 6 COVERAGE FOR WELL CHILD HEALTH SERVICES FROM THE CHILD'S  
 7 BIRTH THROUGH HIS 5TH YEAR; AND PROVIDING AN APPLICABILITY  
 8 DATE."  
 9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 NEW SECTION. Section 1. Coverage for child health  
 12 supervision services. (1) Each policy of disability  
 13 insurance or certificate issued under the policy that is  
 14 delivered, issued for delivery, renewed, extended, or  
 15 modified in this state by a disability insurer and that  
 16 provides coverage for a family member of the insured or  
 17 subscriber must provide coverage for child health  
 18 supervision services from the moment of the child's birth  
 19 through his 5th year. These services are exempt from any  
 20 deductible or copayment provisions that may be in force in  
 21 the policy or certificate.  
 22 (2) Child health supervision services must include 12  
 23 visits at approximately the following intervals: birth, 2  
 24 weeks, 2 months, 4 months, 6 months, 9 months, 15 months, 18  
 25 months, 2 years, 3 years, 4 years, and 5 years. Services to

1 be covered at each visit must include a history, physical  
 2 examination, developmental assessment, anticipatory  
 3 guidance, and appropriate immunizations and laboratory tests  
 4 in keeping with prevailing medical standards.

5 (3) Minimum benefits may be limited to one visit  
 6 payable to one provider for all of the services provided at  
 7 each visit cited in this section.

8 (4) This section does not apply to disability income,  
 9 specified disease, medicare supplement, or hospital  
 10 indemnity policies.

11 (5) For purposes of this section, "child health  
 12 supervision services" means the services described in  
 13 subsection (2) and delivered at the intervals required in  
 14 that subsection by a physician, a health care professional  
 15 supervised by a physician, or a registered professional  
 16 nurse.

17 (6) When a policy of disability insurance or a  
 18 certificate issued under the policy provides coverage or  
 19 benefits to a resident of this state, it is considered to be  
 20 delivered in this state within the meaning of this section,  
 21 whether the insurer that issued or delivered the policy or  
 22 certificate is located inside or outside of this state.

23 NEW SECTION. Section 2. Coverage for child health  
 24 supervision services. (1) Each group disability policy or  
 25 certificate of insurance that is delivered, issued for

1 delivery, renewed, extended, or modified in this state by a  
2 disability insurer and that provides coverage for a family  
3 member of the insured or subscriber must provide coverage  
4 for child health supervision services from the moment of the  
5 child's birth through his 5th year. These services are  
6 exempt from any deductible or copayment provisions that may  
7 be in force in the policy or certificate.

8 (2) Child health supervision services must include 12  
9 visits at approximately the following intervals: birth, 2  
10 weeks, 2 months, 4 months, 6 months, 9 months, 15 months, 18  
11 months, 2 years, 3 years, 4 years, and 5 years. Services to  
12 be covered at each visit must include a history, physical  
13 examination, developmental assessment, anticipatory  
14 guidance, and appropriate immunizations and laboratory tests  
15 in keeping with prevailing medical standards.

16 (3) Minimum benefits may be limited to one visit  
17 payable to one provider for all of the services provided at  
18 each visit cited in this section.

19 (4) This section does not apply to disability income,  
20 specified disease, medicare supplement, or hospital  
21 indemnity policies.

22 (5) For purposes of this section, "child health  
23 supervision services" means the services described in  
24 subsection (2) and delivered at the intervals required in  
25 that subsection by a physician, a health care professional

1 supervised by a physician, or a registered professional  
2 nurse.

3 (6) When a group disability policy or certificate of  
4 insurance issued under the policy provides coverage or  
5 benefits to a resident of this state, it is considered to be  
6 delivered in this state within the meaning of this section,  
7 whether the insurer that issued or delivered the policy or  
8 certificate is located inside or outside of this state.

9 NEW SECTION. **Section 3.** Coverage for child health  
10 supervision services. (1) Each disability insurance plan or  
11 group disability insurance plan that is delivered, issued  
12 for delivery, renewed, extended, or modified in this state  
13 by a health service corporation and that provides coverage  
14 for a family member of the insured or subscriber must  
15 provide coverage for child health supervision services from  
16 the moment of the child's birth through his 5th year. These  
17 services are exempt from any deductible or copayment  
18 provisions that may be in force in the plan.

19 (2) Child health supervision services must include 12  
20 visits at approximately the following intervals: birth, 2  
21 weeks, 2 months, 4 months, 6 months, 9 months, 15 months, 18  
22 months, 2 years, 3 years, 4 years, and 5 years. Services to  
23 be covered at each visit must include a history, physical  
24 examination, developmental assessment, anticipatory  
25 guidance, and appropriate immunizations and laboratory tests

1 in keeping with prevailing medical standards.

2 (3) Minimum benefits may be limited to one visit  
3 payable to one provider for all of the services provided at  
4 each visit cited in this section.

5 (4) This section does not apply to disability income,  
6 specified disease, medicare supplement, or hospital  
7 indemnity policies.

8 (5) For purposes of this section, "child health  
9 supervision services" means the services described in  
10 subsection (2) and delivered at the intervals required in  
11 that subsection by a physician, a health care professional  
12 supervised by a physician, or a registered professional  
13 nurse.

14 (6) When a disability insurance plan or group  
15 disability insurance plan issued by a health service  
16 corporation provides coverage or benefits to a resident of  
17 this state, it is considered to be delivered in this state  
18 within the meaning of this section, whether the health  
19 service corporation that issued or delivered the policy or  
20 certificate is located inside or outside of this state.

21 NEW SECTION. Section 4. Extension of authority. Any  
22 existing authority to make rules on the subject of the  
23 provisions of [this act] is extended to the provisions of  
24 [this act].

25 NEW SECTION. Section 5. Codification instruction. (1)

1 [Section 1] is intended to be codified as an integral part  
2 of Title 33, chapter 22, part 3, and the provisions of Title  
3 33, chapter 22, part 3, apply to [section 1].

4 (2) [Section 2] is intended to be codified as an  
5 integral part of Title 33, chapter 22, part 5, and the  
6 provisions of Title 33, chapter 22, part 5, apply to  
7 [section 2].

8 (3) [Section 3] is intended to be codified as an  
9 integral part of Title 33, chapter 30, part 10, and the  
10 provisions of Title 33, chapter 30, part 10, apply to  
11 [section 3].

12 NEW SECTION. Section 6. Severability. If a part of  
13 [this act] is invalid, all valid parts that are severable  
14 from the invalid part remain in effect. If a part of [this  
15 act] is invalid in one or more of its applications, the part  
16 remains in effect in all valid applications that are  
17 severable from the invalid applications.

18 NEW SECTION. Section 7. Applicability. [This act]  
19 applies to individual or group disability policies or plans  
20 issued or renewed on or after October 1, 1989, by a  
21 disability insurer or health service corporation.

-End-

SB 0279/02  
COMM. ON  
BUSINESS & INDUSTRY  
ON MOTION,  
PLACED ON SECOND READING  
MINORITY REPORT ADOPTED  
AS AMENDED

SENATE BILL NO. 279

INTRODUCED BY JACOBSON, THOMAS, LYNCH,

MERCER, VAN VALKENBURG, VINCENT,

HARPER, NORMAN, GAGE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING INSURANCE COMPANIES AND HEALTH SERVICE CORPORATIONS TO PROVIDE COVERAGE FOR WELL CHILD HEALTH SERVICES FROM THE CHILD'S BIRTH THROUGH HIS 5TH YEAR; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. **Section 1.** Coverage for child health supervision services. (1) Each policy of disability insurance or certificate issued under the policy that is delivered, issued for delivery, renewed, extended, or modified in this state by a disability insurer and that provides coverage for a family member of the insured or subscriber must provide coverage for child health supervision services from the moment of the child's birth through his 5th year. These services are exempt from any deductible or copayment provisions PROVISION that may be in force in the policy or certificate.

(2) ~~Child health supervision services must include 12 visits at approximately the following intervals: birth, 2~~

~~weeks, 2 months, 4 months, 6 months, 9 months, 15 months, 18 months, 2 years, 3 years, 4 years, and 5 years.~~ BENEFITS MAY BE LIMITED TO NO LESS THAN \$250 FOR A CHILD FROM BIRTH TO 12 MONTHS, \$100 FOR A CHILD OVER 12 MONTHS BUT LESS THAN 24 MONTHS, AND \$50 FOR EACH YEAR FROM AGES 2 YEARS THROUGH 5 YEARS. Services to be covered at each visit must include a history, physical examination, developmental assessment, anticipatory guidance, and appropriate immunizations and laboratory tests in keeping with prevailing medical standards.

(3) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section.

(4) This section does not apply to disability income, specified disease, medicare supplement, or hospital indemnity policies.

(5) (A) For purposes of this section, "child health supervision services" means the services described in subsection (2) and delivered ~~at the intervals required in that subsection~~ by a physician, OR a health care professional supervised by a physician, ~~or a registered professional nurse.~~

(B) FOR THE PURPOSES OF THIS SECTION, "DEVELOPMENTAL ASSESSMENT" AND "ANTICIPATORY GUIDANCE" MEAN THE SERVICES DESCRIBED IN THE GUIDELINES FOR HEALTH SUPERVISION II,

1 PUBLISHED BY THE AMERICAN ACADEMY OF PEDIATRICS.

2 (6) When a policy of disability insurance or a  
3 certificate issued under the policy provides coverage or  
4 benefits to a resident of this state, it is considered to be  
5 delivered in this state within the meaning of this section,  
6 whether the insurer that issued or delivered the policy or  
7 certificate is located inside or outside of this state.

8 NEW SECTION. Section 2. Coverage for child health  
9 supervision services. (1) Each group disability policy or  
10 certificate of insurance that is delivered, issued for  
11 delivery, renewed, extended, or modified in this state by a  
12 disability insurer and that provides coverage for a family  
13 member of the insured or subscriber must provide coverage  
14 for child health supervision services from the moment of the  
15 child's birth through his 5th year. These services are  
16 exempt from any deductible or copayment provisions PROVISION  
17 that may be in force in the policy or certificate.

18 (2) ~~Child--health-supervision-services-must-include-12~~  
19 ~~visits-at-approximately-the-following--intervals--birth--2~~  
20 ~~weeks--2-months--4-months--6-months--9-months--15-months--18~~  
21 ~~months--2-years--3-years--4-years--and-5-years. BENEFITS MAY~~  
22 ~~BE LIMITED TO NO LESS THAN \$250 FOR A CHILD FROM BIRTH TO 12~~  
23 ~~MONTHS, \$100 FOR A CHILD OVER 12 MONTHS BUT LESS THAN 24~~  
24 ~~MONTHS, AND \$50 FOR EACH YEAR FROM AGES 2 YEARS THROUGH 5~~  
25 ~~YEARS.~~ Services to be covered at each visit must include a

1 history, physical examination, developmental assessment,  
2 anticipatory guidance, and appropriate immunizations and  
3 laboratory tests in keeping with prevailing medical  
4 standards.

5 (3) Minimum benefits may be limited to one visit  
6 payable to one provider for all of the services provided at  
7 each visit cited in this section.

8 (4) This section does not apply to disability income,  
9 specified disease, medicare supplement, or hospital  
10 indemnity policies.

11 (5) (A) For purposes of this section, "child health  
12 supervision services" means the services described in  
13 subsection (2) and delivered ~~at-the-intervals-required-in~~  
14 ~~that--subsection~~ by a physician, OR a health care  
15 professional supervised by a physician, ~~or-a-registered~~  
16 ~~professional-nurse.~~

17 (B) FOR THE PURPOSES OF THIS SECTION, "DEVELOPMENTAL  
18 ASSESSMENT" AND "ANTICIPATORY GUIDANCE" MEAN THE SERVICES  
19 DESCRIBED IN THE GUIDELINES FOR HEALTH SUPERVISION II,  
20 PUBLISHED BY THE AMERICAN ACADEMY OF PEDIATRICS.

21 (6) When a group disability policy or certificate of  
22 insurance issued under the policy provides coverage or  
23 benefits to a resident of this state, it is considered to be  
24 delivered in this state within the meaning of this section,  
25 whether the insurer that issued or delivered the policy or

1 certificate is located inside or outside of this state.

2 NEW SECTION. Section 3. Coverage for child health  
 3 supervision services. (1) Each disability insurance plan or  
 4 group disability insurance plan that is delivered, issued  
 5 for delivery, renewed, extended, or modified in this state  
 6 by a health service corporation and that provides coverage  
 7 for a family member of the insured or subscriber must  
 8 provide coverage for child health supervision services from  
 9 the moment of the child's birth through his 5th year. These  
 10 services are exempt from any deductible ~~or--copayment~~  
 11 provisions PROVISION that may be in force in the plan.

12 (2) ~~Child-health-supervision-services-must-include--12~~  
 13 ~~visits--at--approximately--the-following-intervals--birth--2~~  
 14 ~~weeks--2-months--4-months--6-months--9-months--15-months--18~~  
 15 ~~months--2-years--3-years--4-years--and-5-years--~~ BENEFITS MAY  
 16 BE LIMITED TO NO LESS THAN \$250 FOR A CHILD FROM BIRTH TO 12  
 17 MONTHS, \$100 FOR A CHILD OVER 12 MONTHS BUT LESS THAN 24  
 18 MONTHS, AND \$50 FOR EACH YEAR FROM AGES 2 YEARS THROUGH 5  
 19 YEARS. Services to be covered at each visit must include a  
 20 history, physical examination, developmental assessment,  
 21 anticipatory guidance, and appropriate immunizations and  
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 25 payable to one provider for all of the services provided at

1 each visit cited in this section.

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 3 specified disease, medicare supplement, or hospital  
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 6 supervision services" means the services described in  
 7 subsection (2) and delivered at the intervals required in  
 8 that subsection by a physician, OR a health care  
 9 professional supervised by a physician, ~~or--a--registered~~  
 10 ~~professional-nurse.~~

11 (B) FOR THE PURPOSES OF THIS SECTION, "DEVELOPMENTAL  
 12 ASSESSMENT" AND "ANTICIPATORY GUIDANCE" MEAN THE SERVICES  
 13 DESCRIBED IN THE GUIDELINES FOR HEALTH SUPERVISION II,  
 14 PUBLISHED BY THE AMERICAN ACADEMY OF PEDIATRICS.

15 (6) When a disability insurance plan or group  
 16 disability insurance plan issued by a health service  
 17 corporation provides coverage or benefits to a resident of  
 18 this state, it is considered to be delivered in this state  
 19 within the meaning of this section, whether the health  
 20 service corporation that issued or delivered the policy or  
 21 certificate is located inside or outside of this state.

22 NEW SECTION. Section 4. Extension of authority. Any  
 23 existing authority to make rules on the subject of the  
 24 provisions of [this act] is extended to the provisions of  
 25 [this act].

**NEW SECTION. Section 5. Codification instruction.** (1)

[Section 1] is intended to be codified as an integral part of Title 33, chapter 22, part 3, and the provisions of Title 33, chapter 22, part 3, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 33, chapter 22, part 5, and the provisions of Title 33, chapter 22, part 5, apply to [section 2].

(3) [Section 3] is intended to be codified as an integral part of Title 33, chapter 30, part 10, and the provisions of Title 33, chapter 30, part 10, apply to [section 3].

**NEW SECTION. Section 6. Severability.** If a part of

[this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

**NEW SECTION. Section 7. Applicability.** [This act]

applies to individual or group disability policies or plans issued or renewed on or after October 1, 1989, by a disability insurer or health service corporation.

-End-