

From: [Sen. Lora Reinbold](#)
To: [Kelli Toth](#); [Madeleine Gaiser](#)
Subject: FW: Title 21 pre existing conditions
Date: Friday, March 25, 2022 3:11:25 PM

Please put in N drive with the SB156 paperwork.
Thanks.

From: Wing-Heier, Lori K (CED) <lori.wing-heier@alaska.gov>
Sent: Friday, March 25, 2022 2:25 PM
To: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Cc: Madeleine Gaiser <Madeleine.Gaiser@akleg.gov>; Kookesh, Melissa M (CED) <melissa.kookesh@alaska.gov>
Subject: RE: Title 21 pre existing conditions

Sen Reinbold,

Here is the federal statute:

42 USC 300gg-1, 42 USC 300gg-4

42 USC 300gg-1 <https://www.law.cornell.edu/uscode/text/42/300gg-1>

Guaranteed issuance of coverage in the individual and group market

Subject to subsections (b) through (e),^[1] each health insurance issuer that offers health insurance coverage in the individual or group market in a State must accept every [employer](#) and individual in the State that applies for such coverage.

42 USC 300gg-4 <https://www.law.cornell.edu/uscode/text/42/300gg-4>

(a) In general—A group health plan and a health insurance issuer offering group or individual health insurance coverage may not establish rules for eligibility (including continued eligibility) of any individual to enroll under the terms of the plan or coverage based on any of the following health status-related factors in relation to the individual or a dependent of the individual:

- (1) Health status.
- (2) Medical condition (including both physical and mental illnesses).
- (3) Claims experience.
- (4) Receipt of health care.
- (5) Medical history.
- (6) Genetic information.
- (7) Evidence of insurability (including conditions arising out of acts of domestic violence).
- (8) Disability.
- (9) Any other health status-related factor determined appropriate by the [Secretary](#).

(b) In premium contributions

(1) In general

A group health plan, and a health insurance issuer offering group or individual health insurance coverage, may not require any individual (as a condition of enrollment or continued enrollment

under the plan) to pay a premium or contribution which is greater than such premium or contribution for a similarly situated individual enrolled in the plan on the basis of any health status-related factor in relation to the individual or to an individual enrolled under the plan as a dependent of the individual.

I hope this is what you were requesting.

Respectfully,

Lori K. Wing-Heier
Director
Division of Insurance

From: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Sent: Friday, March 25, 2022 2:01 PM
To: Wing-Heier, Lori K (CED) <lori.wing-heier@alaska.gov>
Cc: Gaiser, Madeleine (LEG) <madeleine.gaiser@akleg.gov>
Subject: Title 21 pre existing conditions

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We appreciated the information you provided in HSS a few weeks ago on pre existing conditions in title 21. Do you mind providing us the exact US code for insurance companies not being allowed to ask about polio vaccines and pre existing conditions.

Thank you.

Senator Lora Reinbold
Senate District G
Eagle River - Chugiak - JBER

(907)622-8950 Eagle River (Interim)
(907)465-3822 Juneau (Session)

Sen.Lora.Reinbold@akleg.gov

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