

HB

297

REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE
DISTRICT ELEVEN
SEAT A

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HB 297 Insurance Coverage for Adopted Children

This bill establishes, in law, that insurance companies must cover a new child in the family from the moment that child comes into the family, whether by birth or adoption.

Currently a number of insurance companies require a thirty day waiting period before coverage for an adopted child begins. If the child has any medical problems or even if the child is involved in an accident during that thirty days, the insurance company declines to pay for treatment.

The net effect of this approach is that it is undue and inappropriate discrimination against adopted children. A child is a member of the family, and a dependent from the moment the child enters the family whether that be by birth or adoption.

HB 297 redresses this problem.



P.O. B-

Sponsor Statement

3-5661

2238

HB 297: "An Act relating to insurance coverage for adopted children and children placed for adoption."

The department is in favor of this legislation.

The department has generally been opposed to health insurance mandates. However, AS 21.42.345, passed in 1975, is one "mandate" that the department supported when it was introduced. It represents more of an unfair discrimination issue than it does a coverage mandate. Prior to passage of the section, newborn children were not considered family members until they were 14 days of age. This placed substantial financial stress on the parents of newborn children with medical problems.

Recently, it has been noted that insurers are treating newly adopted children in a similar manner as were newborn children prior to 1975. Insurers are imposing their own definition of "family member" causing in some cases, the same kind of financial stress noted above. Insurers are relying on preexisting conditions restrictions to deny coverage for adopted children, thus, impeding the adoption process. In such cases, immediate medical attention is often preventive and can identify and treat situations that will only become more expensive and potentially life threatening if not treated early. We view this legislation as a clarification of existing statute, not an additional mandate.



Glenn A. Olds, Commissioner

Date: 5-1-91

FISCAL NOTE

No. 4
 Bill Version: HB 297
 (H) Publish Date: 2/14/92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date April 22, 1991 Dept. Affected Health and Social Services
 Title: An Act relating to insurance coverage BRU: Family and Youth Services
for adopted children and children placed... Component: SCRO, SERO, NRO
 Sponsor: Rep. Donley
 Requestor: House Labor and Commerce COMPONENT SERIAL NO. 0254, 0255, 0258

Expenditures/Revenues	(Thousands of Dollars)					
	FY93	FY94	FY95	FY96	FY97	FY98
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING:	(Thousands of Dollars)					
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:						
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: NONE

ANALYSIS: (Attach a separate page if necessary)

The Division of Family and Youth Services supports HB 297, an Act relating to insurance coverage for adopted children and children placed for adoption.

Adoption guarantees a child a permanent family. This bill will ensure that children placed for adoption will receive the same insurance coverage and medical care that a child born to the family would receive. The bill also

Prepared by: Brian Saylor, Deputy Commissioner *BS* Phone: 465-3030
 Division: Family and Youth Services Date: February 7, 1992

Approved by Commissioner: Theodore A. Mala *T. Mala* Date: 2/12/92
 Agency: Department of Health and Social Services

Distribution (by preparer):
 Legislative Finance OMB
 Legislative Sponsor Impacted Agency(ies)
 Requestor

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2-14-92

ANALYSIS (cont.):

requires coverage for pre-existing conditions, just as a birth child is covered at birth.

DFYS places special needs children for adoption. These children frequently have pre-existing medical or psychological needs. Under our subsidy program, we cover the costs of meeting those needs that are not met by the adoptive families insurance coverage. Some of those costs would be transferred to the family's insurance if this bill is enacted. No exact figure can be given as these costs vary per child per year, and are not paid directly by DFYS, but rather through payments to the adoptive family.

However most adoptions in Alaska are done privately or through private agencies. Those children do not have subsidies and they and their adoptive families will benefit considerably from this proposed change.

FISCAL NOTE

No. 3

Bill Version: HB 297

(H) Publish Date: 2/14/92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: 12/27/91

Department Affected: Commerce & Econ. Dev.

Title: An Act relating to insurance coverage for

BRU: Insurance

adopted children and children placed for adoption

Component: Operations

Sponsor: House Labor & Commerce

Requestor: _____

COMPONENT SERIAL NO.

0	3	5	4
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND RESOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Don Koch, Chief of Market Surveillance *(Signature)* Phone: 465-2577

Division: Insurance Date: 1/2/92

Approved by Commissioner: Glenn A. Olds *(Signature)*

Agency: Department of Commerce & Economic Development Date: 1-10-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

FISCAL NOTE

10. 2

Bill Version: HB 297

(H) Publish Date: 2/14/92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act relating to insurance coverage for adopted children

Department Affected: Administration
BRU: Retirement and Benefits

Sponsor: House Labor and Commerce
Requestor: House Labor and Commerce

Component: Retirement and Benefits

COMPONENT SERIAL NO. 61

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME:	0	0	0	0	0	0
PART-TIME:	0	0	0	0	0	0
TEMPORARY:	0	0	0	0	0	0

Estimate of current year impact:

ANALYSIS: (attach a separate page if necessary.) The State's insurance plans for retirees and active employees already provide the same level of coverage for adopted children as for natural, foster or step children. This bill will have no fiscal impact on the insurance plans.

Prepared By: Gary Bader *Amy M. Bader*
Division: Retirement and Benefits

Phone: 465-4470
Date: 1/28/92

Approved by Commissioner: Nancy Bear Usual
Agency: Department of Administration *Nancy Bear Usual*

Date: 1/30/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB & Impacted Agency(ies).
Rev 10/90

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ALASKA STATE LEGISLATURE
HOUSE BILL NO. 297

HISTORY IN THE HOUSE

1991
4/22 Read first time and referred to:
HES L&C FIN

5/13 HRS RPT CS() New Title
3 DP 0 DNP 3 NR 0 AM
FN 0 OFN Previous FN

1992
2/14 L&C RPT CS() New Title
3 DP 0 DNP 2 NR 0 AM
FN 3 OFN Previous FN

5/8 FIN Ref. waived
RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

5/9 Read second time
CS() Adopted

Amended

5/9 Advanced

5/9 Read third time

Return to second for specific amendment

5/9 PASSED EFD Same ___ or
Yeas 37 Yeas
Nays 0 Nays
Excused 3 Excused
Absent 0 Absent

Intent adopted

5/9 Reconsideration by Greenberg
5/9 Reconsideration taken up same day

5/9 PASSED ON RECON. EFD Same ___ or
Yeas 37 Yeas
Nays 0 Nays
Excused 3 Excused
Absent 0 Absent

Intent adopted

5/9 Reported correctly engrossed
Signed by Speaker, to the Senate
Kristin Gray, Lamb
Chief Clerk of the House

HISTORY IN THE SENATE

1992
5/10 Read first time and referred to:
L&C

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

CS Adopted () New Title
Amended Advanced

Read third time

Letter of Intent adopted
Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to the House
Secretary of the Senate

HOUSE-SENATE HISTORY Continued

19

Received from the Senate _____

Concur in Senate amendment
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

Failed to concur Senate amendment, ask Senate recede
 Y ___ N ___ E ___ A ___

Senate failed to \ receded from amendment
 Y ___ N ___ E ___ A ___

CC appointed by House _____ Chair

CC appointed by Senate _____ Chair

(H) Granted Limited Powers of Free Conference

(S) Granted Limited Powers of Free Conference

19

(H) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

(S) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

To enrolling
 Reported enrolled and sent to Governor

_____ By Governor

Legislative Resolve Number _____

Filed with Lieutenant Governor