

# HOUSE BILL No. 1631

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 27-1-37.3-5; IC 27-8.

**Synopsis:** Short term insurance plans. Requires an insurer that issues a short term insurance plan to offer at least one plan that is subject to certain conditions in connection with health status related factors. Amends current provisions exempting short term health insurance from accident and sickness insurance policy requirements to provide for two renewals, a duration of not more than 12 months, and a maximum annual benefit of at least \$2,000,000.

**Effective:** July 1, 2019.

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January 24, 2019, read first time and referred to Committee on Insurance.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1631

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 27-1-37.3-5, AS ADDED BY P.L.55-2008,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 5. (a) As used in this chapter, "health plan" means  
4 a plan through which coverage is provided for health care services  
5 through insurance, prepayment, reimbursement, or otherwise. The term  
6 includes the following:  
7 (1) An employee welfare benefit plan (as defined in 29 U.S.C.  
8 1002 et seq.).  
9 (2) A policy of accident and sickness insurance (as defined in  
10 IC 27-8-5-1).  
11 (3) An individual contract (as defined in IC 27-13-1-21) or a  
12 group contract (as defined in IC 27-13-1-16).  
13 (b) The term does not include the following:  
14 (1) Accident-only, credit, Medicare supplement, long term care,  
15 or disability income insurance.  
16 (2) Coverage issued as a supplement to liability insurance.  
17 (3) Worker's compensation or similar insurance.



- 1 (4) Automobile medical payment insurance.  
 2 (5) A specified disease policy issued as an individual policy.  
 3 (6) A short term insurance plan that:  
 4 (A) may ~~not~~ be renewed **two (2) times; and**  
 5 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 6 **months; and**  
 7 **(C) has a maximum benefit per year of at least two million**  
 8 **dollars (\$2,000,000).**  
 9 (7) A policy that provides a stipulated daily, weekly, or monthly  
 10 payment to an insured during hospital confinement, without  
 11 regard to the actual expense of the confinement.
- 12 SECTION 2. IC 27-8-5-2.5, AS AMENDED BY P.L.3-2008,  
 13 SECTION 212, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2019]: Sec. 2.5. (a) As used in this section, the  
 15 term "policy of accident and sickness insurance" does not include the  
 16 following:
- 17 (1) Accident only, credit, dental, vision, Medicare supplement,  
 18 long term care, or disability income insurance.  
 19 (2) Coverage issued as a supplement to liability insurance.  
 20 (3) Automobile medical payment insurance.  
 21 (4) A specified disease policy.  
 22 (5) A short term insurance plan that:  
 23 (A) may ~~not~~ be renewed **two (2) times; and**  
 24 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 25 **months; and**  
 26 **(C) has a maximum benefit per year of at least two million**  
 27 **dollars (\$2,000,000).**  
 28 (6) A policy that provides indemnity benefits not based on any  
 29 expense incurred requirement, including a plan that provides  
 30 coverage for:  
 31 (A) hospital confinement, critical illness, or intensive care; or  
 32 (B) gaps for deductibles or copayments.  
 33 (7) Worker's compensation or similar insurance.  
 34 (8) A student health plan.  
 35 (9) A supplemental plan that always pays in addition to other  
 36 coverage.  
 37 (10) An employer sponsored health benefit plan that is:  
 38 (A) provided to individuals who are eligible for Medicare; and  
 39 (B) not marketed as, or held out to be, a Medicare supplement  
 40 policy.  
 41 (b) The benefits provided by:  
 42 (1) an individual policy of accident and sickness insurance; or



1 (2) a certificate of coverage that is issued under a nonemployer  
 2 based association group policy of accident and sickness insurance  
 3 to an individual who is a resident of Indiana;  
 4 may not be excluded, limited, or denied for more than twelve (12)  
 5 months after the effective date of the coverage because of a preexisting  
 6 condition of the individual.

7 (c) An individual policy of accident and sickness insurance or a  
 8 certificate of coverage described in subsection (b) may not define a  
 9 preexisting condition, a rider, or an endorsement more restrictively  
 10 than as:

11 (1) a condition that would have caused an ordinarily prudent  
 12 person to seek medical advice, diagnosis, care, or treatment  
 13 during the twelve (12) months immediately preceding the  
 14 effective date of the plan;

15 (2) a condition for which medical advice, diagnosis, care, or  
 16 treatment was recommended or received during the twelve (12)  
 17 months immediately preceding the effective date of the plan; or

18 (3) a pregnancy existing on the effective date of the plan.

19 (d) An insurer shall reduce the period allowed for a preexisting  
 20 condition exclusion described in subsection (b) by the amount of time  
 21 the individual has continuously served under a preexisting condition  
 22 clause for a policy of accident and sickness insurance issued under  
 23 IC 27-8-15 if the individual applies for a policy under this chapter not  
 24 more than thirty (30) days after coverage under a policy of accident and  
 25 sickness insurance issued under IC 27-8-15 expires.

26 SECTION 3. IC 27-8-5-15.6, AS AMENDED BY P.L.173-2007,  
 27 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2019]: Sec. 15.6. (a) As used in this section, "coverage of  
 29 services for a mental illness" includes the services defined under the  
 30 policy of accident and sickness insurance. However, the term does not  
 31 include services for the treatment of substance abuse or chemical  
 32 dependency.

33 (b) This section applies to a policy of accident and sickness  
 34 insurance that:

35 (1) is issued on an individual basis or a group basis;

36 (2) is issued, entered into, or renewed after December 31, 1999;  
 37 and

38 (3) is issued to an employer that employs more than fifty (50)  
 39 full-time employees.

40 (c) This section does not apply to the following:

41 (1) A legal business entity that has obtained an exemption under  
 42 section 15.7 of this chapter.



- 1 (2) Accident only, credit, dental, vision, Medicare supplement,  
 2 long term care, or disability income insurance.  
 3 (3) Coverage issued as a supplement to liability insurance.  
 4 (4) Worker's compensation or similar insurance.  
 5 (5) Automobile medical payment insurance.  
 6 (6) A specified disease policy.  
 7 (7) A short term insurance plan that:  
 8 (A) may ~~not~~ be renewed **two (2) times; and**  
 9 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 10 **months; and**  
 11 **(C) has a maximum benefit per year of at least two million**  
 12 **dollars (\$2,000,000).**  
 13 (8) A policy that provides indemnity benefits not based on any  
 14 expense incurred requirement, including a plan that provides  
 15 coverage for:  
 16 (A) hospital confinement, critical illness, or intensive care; or  
 17 (B) gaps for deductibles or copayments.  
 18 (9) A supplemental plan that always pays in addition to other  
 19 coverage.  
 20 (10) A student health plan.  
 21 (11) An employer sponsored health benefit plan that is:  
 22 (A) provided to individuals who are eligible for Medicare; and  
 23 (B) not marketed as, or held out to be, a Medicare supplement  
 24 policy.  
 25 (d) A group or individual insurance policy or agreement may not  
 26 permit treatment limitations or financial requirements on the coverage  
 27 of services for a mental illness if similar limitations or requirements are  
 28 not imposed on the coverage of services for other medical or surgical  
 29 conditions.  
 30 (e) An insurer that issues a policy of accident and sickness  
 31 insurance that provides coverage of services for the treatment of  
 32 substance abuse and chemical dependency when the services are  
 33 required in the treatment of a mental illness shall offer to provide the  
 34 coverage without treatment limitations or financial requirements if  
 35 similar limitations or requirements are not imposed on the coverage of  
 36 services for other medical or surgical conditions.  
 37 (f) This section does not require a group or individual insurance  
 38 policy or agreement to offer mental health benefits.  
 39 (g) The benefits delivered under this section may be delivered under  
 40 a managed care system.  
 41 SECTION 4. IC 27-8-5-27, AS AMENDED BY P.L.173-2007,  
 42 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 27. (a) As used in this section, "accident and  
 2 sickness insurance policy" means an insurance policy that provides at  
 3 least one (1) of the types of insurance described in IC 27-1-5-1, Classes  
 4 1(b) and 2(a), and is issued on a group basis. The term does not include  
 5 the following:

6 (1) Accident only, credit, dental, vision, Medicare supplement,  
 7 long term care, or disability income insurance.

8 (2) Coverage issued as a supplement to liability insurance.

9 (3) Automobile medical payment insurance.

10 (4) A specified disease policy.

11 (5) A short term insurance plan that:

12 (A) may ~~not~~ be renewed **two (2) times; and**

13 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 14 **months; and**

15 **(C) has a maximum benefit per year of at least two million**  
 16 **dollars (\$2,000,000).**

17 (6) A policy that provides indemnity benefits not based on any  
 18 expense incurred requirement, including a plan that provides  
 19 coverage for:

20 (A) hospital confinement, critical illness, or intensive care; or

21 (B) gaps for deductibles or copayments.

22 (7) Worker's compensation or similar insurance.

23 (8) A student health plan.

24 (9) A supplemental plan that always pays in addition to other  
 25 coverage.

26 (10) An employer sponsored health benefit plan that is:

27 (A) provided to individuals who are eligible for Medicare; and

28 (B) not marketed as, or held out to be, a Medicare supplement  
 29 policy.

30 (b) As used in this section, "insured" means a child or an individual  
 31 with a disability who is entitled to coverage under an accident and  
 32 sickness insurance policy.

33 (c) As used in this section, "child" means an individual who is less  
 34 than nineteen (19) years of age.

35 (d) As used in this section, "individual with a disability" means an  
 36 individual:

37 (1) with a physical or mental impairment that substantially limits  
 38 one (1) or more of the major life activities of the individual; and

39 (2) who:

40 (A) has a record of; or

41 (B) is regarded as;

42 having an impairment described in subdivision (1).



1 (e) A policy of accident and sickness insurance must include  
 2 coverage for anesthesia and hospital charges for dental care for an  
 3 insured if the mental or physical condition of the insured requires  
 4 dental treatment to be rendered in a hospital or an ambulatory  
 5 outpatient surgical center. The Indications for General Anesthesia, as  
 6 published in the reference manual of the American Academy of  
 7 Pediatric Dentistry, are the utilization standards for determining  
 8 whether performing dental procedures necessary to treat the insured's  
 9 condition under general anesthesia constitutes appropriate treatment.

10 (f) An insurer that issues a policy of accident and sickness insurance  
 11 may:

12 (1) require prior authorization for hospitalization or treatment in  
 13 an ambulatory outpatient surgical center for dental care  
 14 procedures in the same manner that prior authorization is required  
 15 for hospitalization or treatment of other covered medical  
 16 conditions; and

17 (2) restrict coverage to include only procedures performed by a  
 18 licensed dentist who has privileges at the hospital or ambulatory  
 19 outpatient surgical center.

20 (g) This section does not apply to treatment rendered for temporal  
 21 mandibular joint disorders (TMJ).

22 SECTION 5. IC 27-8-5.6-1, AS AMENDED BY P.L.86-2018,  
 23 SECTION 207, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) As used in this chapter, the  
 25 term "accident and sickness insurance" means any policy or contract  
 26 covering one (1) or more of the kinds of insurance described in classes  
 27 1(b) or 2(a) of IC 27-1-5-1, as governed by IC 27-8-5.

28 (b) The term does not include the following:

29 (1) Accident only, credit, dental, vision, Medicare supplement,  
 30 long term care, or disability income insurance.

31 (2) Coverage issued as a supplement to liability insurance.

32 (3) Worker's compensation or similar insurance.

33 (4) Automobile medical payment insurance.

34 (5) A specified disease policy.

35 (6) A short term insurance plan that:

36 (A) may ~~not~~ be renewed **two (2) times; and**

37 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 38 months; **and**

39 **(C) has a maximum benefit per year of at least two million**  
 40 **dollars (\$2,000,000).**

41 (7) A policy that provides indemnity benefits not based on any  
 42 expense incurred requirement, including a plan that provides



- 1 coverage for:  
 2 (A) hospital confinement, critical illness, or intensive care; or  
 3 (B) gaps for deductibles or copayments.  
 4 (8) A supplemental plan that always pays in addition to other  
 5 coverage.  
 6 (9) A student health plan.  
 7 (10) An employer sponsored health benefit plan that is:  
 8 (A) provided to individuals who are eligible for Medicare; and  
 9 (B) not marketed as, or held out to be, a Medicare supplement  
 10 policy.

11 SECTION 6. IC 27-8-5.8-1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. As used in this  
 13 chapter, "accident and sickness insurance policy" means an insurance  
 14 policy that provides at least one (1) of the types of insurance described  
 15 in IC 27-1-5-1, Classes 1(b) and 2(a), and is issued on a group basis.  
 16 The term does not include the following:

- 17 (1) Accident only, credit, dental, vision, Medicare, Medicare  
 18 supplement, long term care, or disability income insurance.  
 19 (2) Coverage issued as a supplement to liability insurance.  
 20 (3) Automobile medical payment insurance.  
 21 (4) A specified disease policy.  
 22 (5) A limited benefit health insurance policy.  
 23 (6) A short term insurance plan that:  
 24 (A) may ~~not~~ be renewed **two (2) times; and**  
 25 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 26 **months; and**  
 27 **(C) has a maximum benefit per year of at least two million**  
 28 **dollars (\$2,000,000).**  
 29 (7) A policy that provides a stipulated daily, weekly, or monthly  
 30 payment to an insured during hospital confinement, without  
 31 regard to the actual expense of the confinement.  
 32 (8) Worker's compensation or similar insurance.  
 33 (9) A student health insurance policy.

34 SECTION 7. IC 27-8-5.9 IS ADDED TO THE INDIANA CODE  
 35 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2019]:

37 **Chapter 5.9. Short Term Insurance Plan**

38 **Sec. 1. As used in this chapter, "covered individual" means an**  
 39 **individual entitled to coverage under a short term insurance plan.**

40 **Sec. 2. As used in this chapter, "short term insurance plan"**  
 41 **means a policy of accident and sickness insurance (as defined in**  
 42 **IC 27-8-5-1) that:**





- 1           (1) may be renewed two (2) times;  
 2           (2) has a duration of not more than twelve (12) months; and  
 3           (3) has a maximum benefit per year of at least two million  
 4           dollars (\$2,000,000).

5           **Sec. 3. An insurer that offers a short term insurance plan shall**  
 6           **offer at least one (1) short term insurance plan that meets the**  
 7           **following requirements:**

8           (1) The insurer does not establish rules for eligibility,  
 9           including continued eligibility, of an individual to enroll under  
 10           the terms of the short term insurance plan based on any of the  
 11           following health status related factors in relation to the  
 12           individual or a dependent of the individual:

- 13           (A) Health status.  
 14           (B) Physical or mental medical condition.  
 15           (C) Claims experience.  
 16           (D) Receipt of health care.  
 17           (E) Medical history.  
 18           (F) Genetic information.  
 19           (G) Evidence of insurability (including conditions arising  
 20           out of acts of domestic violence).  
 21           (H) Disability.  
 22           (I) Any other health status related factor determined  
 23           appropriate by the commissioner.

24           (2) The insurer does not impose a preexisting condition  
 25           exclusion or limitation on coverage under the short term  
 26           insurance plan.

27           (3) The short term insurance plan:

- 28           (A) must continue in force; and  
 29           (B) is renewable as described in section 2(1) of this  
 30           chapter;

31           at the option of the policyholder.

32           (4) The insurer may terminate or refuse to renew the short  
 33           term insurance plan based only on one (1) or more of the  
 34           following:

- 35           (A) The policyholder fails to pay premiums in accordance  
 36           with the terms of the short term insurance plan.  
 37           (B) The policyholder has performed an act that constitutes  
 38           fraud or intentional misrepresentation of a material fact  
 39           under the terms of the short term insurance plan.

40           (5) The insurer may vary the premium rate for coverage  
 41           under the short term insurance plan based only on the  
 42           following:



1 (A) Whether the short term insurance plan covers an  
 2 individual or a family. (In the case of a family, the  
 3 premium rate variation must be applied based on the part  
 4 of the premium attributable to each individual covered  
 5 under the short term insurance plan.)

6 (B) The rating area:

7 (i) established by the commissioner; and

8 (ii) in which the short term insurance plan is issued.

9 (C) The age of each covered individual.

10 (D) Tobacco use.

11 **Sec. 4. An insurer shall not, as a condition of enrollment or**  
 12 **continued enrollment in a short term insurance plan, require an**  
 13 **individual to pay a premium or contribution greater than the**  
 14 **premium or contribution for a similarly situated individual**  
 15 **enrolled in the short term insurance plan on the basis of a health**  
 16 **status related factor in relation to the individual or a dependent of**  
 17 **the individual.**

18 **Sec. 5. This section does not prevent an insurer from**  
 19 **establishing a premium discount, rebate, or out-of-pocket payment**  
 20 **modifications in return for adherence to programs of health**  
 21 **promotion and disease prevention.**

22 SECTION 8. IC 27-8-6-6, AS ADDED BY P.L.133-2011,  
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2019]: Sec. 6. (a) As used in this section, "policy of accident  
 25 and sickness insurance" has the meaning set forth in IC 27-8-5-1.  
 26 However, the term does not include the following:

27 (1) Accident only, credit, dental, vision, Medicare supplement,  
 28 long term care, or disability income insurance.

29 (2) Coverage issued as a supplement to liability insurance.

30 (3) Automobile medical payment insurance.

31 (4) A specified disease policy.

32 (5) A short term insurance plan that:

33 (A) may ~~not~~ be renewed **two (2) times; and**

34 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 35 **months; and**

36 **(C) has a maximum benefit per year of at least two million**  
 37 **dollars (\$2,000,000).**

38 (6) A policy that provides indemnity benefits not based on any  
 39 expense incurred requirement, including a plan that provides  
 40 coverage for:

41 (A) hospital confinement, critical illness, or intensive care; or

42 (B) gaps for deductibles or copayments.



- 1 (7) A supplemental plan that always pays in addition to other  
2 coverage.
- 3 (b) A policy of accident and sickness insurance that provides  
4 coverage for physical medicine and rehabilitative services shall provide  
5 the coverage for physical medicine and rehabilitative services that are:  
6 (1) rendered by an athletic trainer who is licensed under  
7 IC 25-5.1; and  
8 (2) within the athletic trainer's scope of practice.
- 9 (c) This section does not require a policy of accident and sickness  
10 insurance to provide coverage for physical medicine or rehabilitative  
11 services generally.
- 12 SECTION 9. IC 27-8-13.4-1, AS ADDED BY P.L.124-2014,  
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
15 sickness insurance policy" means an insurance policy that:  
16 (1) provides one (1) or more of the types of insurance described  
17 in IC 27-1-5-1, Class 1(b) and Class 2(a); and  
18 (2) is issued on a group or individual basis.
- 19 (b) As used in this chapter, "accident and sickness insurance policy"  
20 does not include the following:  
21 (1) Accident only, credit, dental, vision, Medicare supplement,  
22 long term care, or disability income insurance.  
23 (2) Coverage issued as a supplement to liability insurance.  
24 (3) Worker's compensation or similar insurance.  
25 (4) Automobile medical payment insurance.  
26 (5) A specified disease policy.  
27 (6) A short term insurance plan that:  
28 (A) may ~~not~~ be renewed **two (2) times; and**  
29 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
30 **months; and**  
31 **(C) has a maximum benefit per year of at least two million**  
32 **dollars (\$2,000,000).**
- 33 (7) A policy that provides indemnity benefits not based on any  
34 expense incurred requirement, including a plan that provides  
35 coverage for:  
36 (A) hospital confinement, critical illness, or intensive care; or  
37 (B) gaps for deductibles or copayments.
- 38 (8) A supplemental plan that always pays in addition to other  
39 coverage.
- 40 (9) An employer sponsored health benefit plan that is:  
41 (A) provided to individuals who are eligible for Medicare; and  
42 (B) not marketed as, or held out to be, a Medicare supplement



- 1 policy.
- 2 SECTION 10. IC 27-8-13.5-4, AS ADDED BY P.L.126-2013,  
 3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2019]: Sec. 4. As used in this chapter, "policy of accident and  
 5 sickness insurance" has the meaning set forth in IC 27-8-5-1. The term  
 6 does not include the following:
- 7 (1) Accident only, credit, dental, vision, Medicare supplement,  
 8 long term care, or disability income insurance.
  - 9 (2) Coverage issued as a supplement to liability insurance.
  - 10 (3) Automobile medical payment insurance.
  - 11 (4) A specified disease policy.
  - 12 (5) A short term insurance plan that:
    - 13 (A) may ~~not~~ be renewed **two (2) times; and**
    - 14 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 15 **months; and**
    - 16 **(C) has a maximum benefit per year of at least two million**  
 17 **dollars (\$2,000,000).**
  - 18 (6) A policy that provides indemnity benefits not based on any  
 19 expense incurred requirement, including a plan that provides  
 20 coverage for:
    - 21 (A) hospital confinement, critical illness, or intensive care; or
    - 22 (B) gaps for deductibles or copayments.
  - 23 (7) Worker's compensation or similar insurance.
  - 24 (8) A student health plan.
  - 25 (9) A supplemental plan that always pays in addition to other  
 26 coverage.
  - 27 (10) An employer sponsored health benefit plan that is:
    - 28 (A) provided to individuals who are eligible for Medicare; and
    - 29 (B) not marketed as, or held out to be, a Medicare supplement  
 30 policy.
- 31 SECTION 11. IC 27-8-14-1, AS AMENDED BY P.L.173-2007,  
 32 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
 34 sickness insurance policy" means an insurance policy that:
- 35 (1) provides one (1) or more of the types of insurance described  
 36 in IC 27-1-5-1, classes 1(b) and 2(a); and
  - 37 (2) is issued on a group basis.
- 38 (b) The term does not include the following:
- 39 (1) Accident only, credit, dental, vision, Medicare supplement,  
 40 long term care, or disability income insurance.
  - 41 (2) Coverage issued as a supplement to liability insurance.
  - 42 (3) Worker's compensation or similar insurance.



- 1 (4) Automobile medical payment insurance.  
 2 (5) A specified disease policy.  
 3 (6) A short term insurance plan that:  
 4 (A) may ~~not~~ be renewed **two (2) times; and**  
 5 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 6 **months; and**  
 7 **(C) has a maximum benefit per year of at least two million**  
 8 **dollars (\$2,000,000).**  
 9 (7) A policy that provides indemnity benefits not based on any  
 10 expense incurred requirement, including a plan that provides  
 11 coverage for:  
 12 (A) hospital confinement, critical illness, or intensive care; or  
 13 (B) gaps for deductibles or copayments.  
 14 (8) A supplemental plan that always pays in addition to other  
 15 coverage.  
 16 (9) A student health plan.  
 17 (10) An employer sponsored health benefit plan that is:  
 18 (A) provided to individuals who are eligible for Medicare; and  
 19 (B) not marketed as, or held out to be, a Medicare supplement  
 20 policy.
- 21 SECTION 12. IC 27-8-14.1-1, AS AMENDED BY P.L.173-2007,  
 22 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
 24 sickness insurance policy" means an insurance policy that:  
 25 (1) provides one (1) or more of the types of insurance described  
 26 in IC 27-1-5-1, classes 1(b) and 2(a); and  
 27 (2) is issued on a group basis.  
 28 (b) As used in this chapter, "accident and sickness insurance policy"  
 29 does not include the following:  
 30 (1) Accident only, credit, dental, vision, Medicare supplement,  
 31 long term care, or disability income insurance.  
 32 (2) Coverage issued as a supplement to liability insurance.  
 33 (3) Worker's compensation or similar insurance.  
 34 (4) Automobile medical payment insurance.  
 35 (5) A specified disease policy.  
 36 (6) A short term insurance plan that:  
 37 (A) may ~~not~~ be renewed **two (2) times; and**  
 38 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 39 **months; and**  
 40 **(C) has a maximum benefit per year of at least two million**  
 41 **dollars (\$2,000,000).**  
 42 (7) A policy that provides indemnity benefits not based on any



- 1 expense incurred requirement, including a plan that provides  
 2 coverage for:
- 3 (A) hospital confinement, critical illness, or intensive care; or
  - 4 (B) gaps for deductibles or copayments.
- 5 (8) A supplemental plan that always pays in addition to other  
 6 coverage.
- 7 (9) A student health plan.
- 8 (10) An employer sponsored health benefit plan that is:
- 9 (A) provided to individuals who are eligible for Medicare; and
  - 10 (B) not marketed as, or held out to be, a Medicare supplement  
 11 policy.
- 12 SECTION 13. IC 27-8-14.2-1, AS AMENDED BY P.L.173-2007,  
 13 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
 15 sickness insurance policy" means an insurance policy that provides one  
 16 (1) or more of the types of insurance described in IC 27-1-5-1, classes  
 17 1(b) and 2(a).
- 18 (b) The term does not include the following:
- 19 (1) Accident only, credit, dental, vision, Medicare supplement,  
 20 long term care, or disability income insurance.
  - 21 (2) Coverage issued as a supplement to liability insurance.
  - 22 (3) Worker's compensation or similar insurance.
  - 23 (4) Automobile medical payment insurance.
  - 24 (5) A specified disease policy.
  - 25 (6) A short term insurance plan that:
    - 26 (A) may ~~not~~ be renewed **two (2) times; and**
    - 27 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 28 **months; and**
    - 29 **(C) has a maximum benefit per year of at least two million**  
 30 **dollars (\$2,000,000).**
- 31 (7) A policy that provides indemnity benefits not based on any  
 32 expense incurred requirement, including a plan that provides  
 33 coverage for:
- 34 (A) hospital confinement, critical illness, or intensive care; or
  - 35 (B) gaps for deductibles or copayments.
- 36 (8) A supplemental plan that always pays in addition to other  
 37 coverage.
- 38 (9) A student health plan.
- 39 (10) An employer sponsored health benefit plan that is:
- 40 (A) provided to individuals who are eligible for Medicare; and
  - 41 (B) not marketed as, or held out to be, a Medicare supplement  
 42 policy.



1 SECTION 14. IC 27-8-14.5-1, AS AMENDED BY P.L.173-2007,  
 2 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "health insurance  
 4 plan" means any:

- 5 (1) hospital or medical expense incurred policy or certificate;
- 6 (2) hospital or medical service plan contract; or
- 7 (3) health maintenance organization subscriber contract;

8 provided to an insured.

9 (b) The term does not include the following:

- 10 (1) Accident only, credit, dental, vision, Medicare supplement,  
 11 long term care, or disability income insurance.
- 12 (2) Coverage issued as a supplement to liability insurance.
- 13 (3) Worker's compensation or similar insurance.
- 14 (4) Automobile medical payment insurance.
- 15 (5) A specified disease policy.
- 16 (6) A short term insurance plan that:
  - 17 (A) may ~~not~~ be renewed **two (2) times; and**
  - 18 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 19 months; **and**
  - 20 **(C) has a maximum benefit per year of at least two million**  
 21 **dollars (\$2,000,000).**
- 22 (7) A policy that provides indemnity benefits not based on any  
 23 expense incurred requirement, including a plan that provides  
 24 coverage for:
  - 25 (A) hospital confinement, critical illness, or intensive care; or
  - 26 (B) gaps for deductibles or copayments.
- 27 (8) A supplemental plan that always pays in addition to other  
 28 coverage.
- 29 (9) A student health plan.
- 30 (10) An employer sponsored health benefit plan that is:
  - 31 (A) provided to individuals who are eligible for Medicare; and
  - 32 (B) not marketed as, or held out to be, a Medicare supplement  
 33 policy.

34 SECTION 15. IC 27-8-14.7-1, AS AMENDED BY P.L.173-2007,  
 35 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
 37 sickness insurance policy" means an insurance policy that:

- 38 (1) provides at least one (1) of the types of insurance described in  
 39 IC 27-1-5-1, Classes 1(b) and 2(a); and
- 40 (2) is issued on a group basis.

41 (b) "Accident and sickness insurance policy" does not include the  
 42 following:



- 1 (1) Accident only, credit, dental, vision, Medicare supplement,
- 2 long term care, or disability income insurance.
- 3 (2) Coverage issued as a supplement to liability insurance.
- 4 (3) Worker's compensation or similar insurance.
- 5 (4) Automobile medical payment insurance.
- 6 (5) A specified disease policy.
- 7 (6) A short term insurance plan that:
- 8 (A) may ~~not~~ be renewed **two (2) times; and**
- 9 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**
- 10 **months; and**
- 11 **(C) has a maximum benefit per year of at least two million**
- 12 **dollars (\$2,000,000).**
- 13 (7) A policy that provides indemnity benefits not based on any
- 14 expense incurred requirement, including a plan that provides
- 15 coverage for:
- 16 (A) hospital confinement, critical illness, or intensive care; or
- 17 (B) gaps for deductibles or copayments.
- 18 (8) A supplemental plan that always pays in addition to other
- 19 coverage.
- 20 (9) A student health plan.
- 21 (10) An employer sponsored health benefit plan that is:
- 22 (A) provided to individuals who are eligible for Medicare; and
- 23 (B) not marketed as, or held out to be, a Medicare supplement
- 24 policy.
- 25 SECTION 16. IC 27-8-14.8-1, AS AMENDED BY P.L.173-2007,
- 26 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and
- 28 sickness insurance policy" means an insurance policy that:
- 29 (1) provides at least one (1) of the types of insurance described in
- 30 IC 27-1-5-1, Classes 1(b) and 2(a); and
- 31 (2) is issued on a group basis.
- 32 (b) "Accident and sickness insurance policy" does not include the
- 33 following:
- 34 (1) Accident only, credit, dental, vision, Medicare supplement,
- 35 long term care, or disability income insurance.
- 36 (2) Coverage issued as a supplement to liability insurance.
- 37 (3) Worker's compensation or similar insurance.
- 38 (4) Automobile medical payment insurance.
- 39 (5) A specified disease policy.
- 40 (6) A short term insurance plan that:
- 41 (A) may ~~not~~ be renewed **two (2) times; and**
- 42 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**





- 1 months; **and**
- 2 **(C) has a maximum benefit per year of at least two million**
- 3 **dollars (\$2,000,000).**
- 4 (7) A policy that provides indemnity benefits not based on any
- 5 expense incurred requirement, including a plan that provides
- 6 coverage for:
- 7 (A) hospital confinement, critical illness, or intensive care; or
- 8 (B) gaps for deductibles or copayments.
- 9 (8) A supplemental plan that always pays in addition to other
- 10 coverage.
- 11 (9) A student health plan.
- 12 (10) An employer sponsored health benefit plan that is:
- 13 (A) provided to individuals who are eligible for Medicare; and
- 14 (B) not marketed as, or held out to be, a Medicare supplement
- 15 policy.
- 16 SECTION 17. IC 27-8-15-9, AS AMENDED BY P.L.11-2011,
- 17 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2019]: Sec. 9. (a) Except as provided in section 28 of this
- 19 chapter, as used in this chapter, "health insurance plan" or "plan"
- 20 means any:
- 21 (1) hospital or medical expense incurred policy or certificate;
- 22 (2) hospital or medical service plan contract; or
- 23 (3) health maintenance organization subscriber contract;
- 24 provided to the employees of a small employer.
- 25 (b) The term does not include the following:
- 26 (1) Accident-only, credit, dental, vision, Medicare supplement,
- 27 long term care, or disability income insurance.
- 28 (2) Coverage issued as a supplement to liability insurance.
- 29 (3) Worker's compensation or similar insurance.
- 30 (4) Automobile medical payment insurance.
- 31 (5) A specified disease policy.
- 32 (6) A short term insurance plan that:
- 33 (A) may ~~not~~ be renewed **two (2) times; and**
- 34 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**
- 35 **months; and**
- 36 **(C) has a maximum benefit per year of at least two million**
- 37 **dollars (\$2,000,000).**
- 38 (7) A policy that provides indemnity benefits not based on any
- 39 expense incurred requirement, including a plan that provides
- 40 coverage for:
- 41 (A) hospital confinement, critical illness, or intensive care; or
- 42 (B) gaps for deductibles or copayments.



- 1 (8) A supplemental plan that always pays in addition to other  
 2 coverage.  
 3 (9) A student health plan.  
 4 (10) An employer sponsored health benefit plan that is:  
 5 (A) provided to individuals who are eligible for Medicare; and  
 6 (B) not marketed as, or held out to be, a Medicare supplement  
 7 policy.
- 8 SECTION 18. IC 27-8-24.1-1, AS AMENDED BY P.L.173-2007,  
 9 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "accident and  
 11 sickness insurance policy" means an insurance policy that provides at  
 12 least one (1) of the types of insurance described in IC 27-1-5-1, Classes  
 13 1(b) and 2(a), and is issued on a group basis.
- 14 (b) The term does not include the following:  
 15 (1) Accident only, credit, dental, vision, Medicare supplement,  
 16 long term care, or disability income insurance.  
 17 (2) Coverage issued as a supplement to liability insurance.  
 18 (3) Worker's compensation or similar insurance.  
 19 (4) Automobile medical payment insurance.  
 20 (5) A specified disease policy.  
 21 (6) A short term insurance plan that:  
 22 (A) may ~~not~~ be renewed **two (2) times; and**  
 23 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**  
 24 **months; and**  
 25 **(C) has a maximum benefit per year of at least two million**  
 26 **dollars (\$2,000,000).**  
 27 (7) A policy that provides indemnity benefits not based on any  
 28 expense incurred requirement, including a plan that provides  
 29 coverage for:  
 30 (A) hospital confinement, critical illness, or intensive care; or  
 31 (B) gaps for deductibles or copayments.  
 32 (8) A supplemental plan that always pays in addition to other  
 33 coverage.  
 34 (9) A student health plan.  
 35 (10) An employer sponsored health benefit plan that is:  
 36 (A) provided to individuals who are eligible for Medicare; and  
 37 (B) not marketed as, or held out to be, a Medicare supplement  
 38 policy.
- 39 SECTION 19. IC 27-8-24.2-3, AS ADDED BY P.L.109-2008,  
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2019]: Sec. 3. (a) As used in this chapter, "policy of accident  
 42 and sickness insurance" has the meaning set forth in IC 27-8-5-1.



- 1 (b) The term does not include the following:
- 2 (1) Accident only, credit, dental, vision, Medicare, Medicare
- 3 supplement, long term care, or disability income insurance.
- 4 (2) Coverage issued as a supplement to liability insurance.
- 5 (3) Automobile medical payment insurance.
- 6 (4) A specified disease policy.
- 7 (5) A limited benefit health insurance policy.
- 8 (6) A short term insurance plan that:
- 9 (A) may ~~not~~ be renewed **two (2) times; and**
- 10 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**
- 11 **months; and**
- 12 **(C) has a maximum benefit per year of at least two million**
- 13 **dollars (\$2,000,000).**
- 14 (7) A policy that provides a stipulated daily, weekly, or monthly
- 15 payment to an insured during hospital confinement, without
- 16 regard to the actual expense of the confinement.
- 17 (8) Worker's compensation or similar insurance.
- 18 (9) A student health insurance policy.
- 19 SECTION 20. IC 27-8-27-4 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) For purposes of
- 21 this chapter, "health insurance plan" means any:
- 22 (1) hospital or medical expense incurred policy or certificate;
- 23 (2) hospital or medical service plan contract; or
- 24 (3) health maintenance organization subscriber contract;
- 25 provided to an insured.
- 26 (b) The term does not include the following:
- 27 (1) Accident-only, credit, dental, Medicare supplement, long term
- 28 care, or disability income insurance.
- 29 (2) Coverage issued as a supplement to liability insurance.
- 30 (3) Worker's compensation or similar insurance.
- 31 (4) Automobile medical payment insurance.
- 32 (5) A specified disease policy issued as an individual policy.
- 33 (6) A limited benefit health insurance plan issued as an individual
- 34 policy.
- 35 (7) A short term insurance plan that:
- 36 (A) may ~~not~~ be renewed **two (2) times; and**
- 37 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**
- 38 **months; and**
- 39 **(C) has a maximum benefit per year of at least two million**
- 40 **dollars (\$2,000,000).**
- 41 (8) A policy that provides a stipulated daily, weekly, or monthly
- 42 payment to an insured during hospital confinement, without



- 1 regard to the actual expense of the confinement.
- 2 SECTION 21. IC 27-8-28-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) As used in this
- 4 chapter, "accident and sickness insurance policy" means an insurance
- 5 policy that provides one (1) or more of the kinds of insurance described
- 6 in Class 1(b) and 2(a) of IC 27-1-5-1.
- 7 (b) The term does not include the following:
- 8 (1) Accident only, credit, dental, vision, Medicare supplement,
- 9 long term care, or disability income insurance.
- 10 (2) Coverage issued as a supplement to liability insurance.
- 11 (3) Automobile medical payment insurance.
- 12 (4) A specified disease policy issued as an individual policy.
- 13 (5) A limited benefit health insurance policy issued as an
- 14 individual policy.
- 15 (6) A short term insurance plan that:
- 16 (A) may ~~not~~ be renewed **two (2) times; and**
- 17 (B) has a duration of not more than ~~six (6)~~ **twelve (12)**
- 18 **months; and**
- 19 **(C) has a maximum benefit per year of at least two million**
- 20 **dollars (\$2,000,000).**
- 21 (7) A policy that provides a stipulated daily, weekly, or monthly
- 22 payment to an insured during hospital confinement without regard
- 23 to the actual expense of the confinement.
- 24 (8) Worker's compensation or similar insurance.

