



The State of New Hampshire
Insurance Department
21 South Fruit Street, Suite 14
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Roger A. Seigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

BULLETIN
Docket No.: INS No. 07-060-AB

TO: All New Hampshire Licensed Health Insurance Companies, Health Maintenance Organizations, Fraternal Benefit Societies and Third Party Administrators

FROM: Roger A. Seigny 
Insurance Commissioner

DATE: July 17, 2007

RE: Implementation HB 790
Dependent Care Expansion

This Bulletin is intended to answer questions that have been raised concerning the implementation of HB 790-FN. The effective date of the bill creates implementation requirements that conflict with other provisions of the bill. This bill expands the definition of dependent to include a subscriber's child who:

- (a) is less than 26 years of age,
- (b) is unmarried,
- (c) is a resident of New Hampshire, or is enrolled at a public or private institution of higher education, and
- (d) is not provided coverage as a named subscriber under any other group or individual health plan or entitled to benefits under certain governmental programs.

The law grants subscribers enrolled under family coverage a special enrollment period during which newly eligible dependent children, under the expanded definition, may be enrolled. For the purposes of the special open enrollment, family coverage is deemed to include any policy that currently provides coverage to one or more dependent children.

Specifically, HB 790-FN provides that there shall be a special enrollment period beginning on August 1, 2007 and ending on September 30, 2007. The bill was signed into law on July 17, 2007, with an effective date of September 15, 2007. Most of the

open enrollment period occurs prior to the effective date of the law. The bill specifies that notice for this special open enrollment period must be delivered within 30 days of the law's effective date. Interpreted literally, this would allow notice to go out after the end of the open enrollment period.

To fulfill the intent of HB 790-FN and to provide subscribers with the opportunity to enroll their dependents, the department will require a carrier to implement a special open enrollment period meeting one of the following two standards.

1. The carrier shall provide notice to eligible subscribers on or before July 31, 2007, and shall hold a special open enrollment period that runs from August 1 through September 30, 2007.
2. The carrier shall provide notice to eligible subscribers of a special open enrollment period of least 60 days and shall deliver this notice to subscribers at least 30 days prior to the start of the special open enrollment period. The notice shall be sent to eligible subscribers on or before October 1, 2007, and the special open enrollment shall begin no later than November 1, 2007.

Coverage for newly eligible dependents enrolling through a special open enrollment period shall be effective no later than the first date of the first month following the satisfactory completion of the requisite enrollment materials. Dependents who are not enrolled during this special open enrollment period shall be treated as late enrollees pursuant to RSA 420-G:8.

Please contact Leslie Ludtke at 603-271-2261 if you have any questions.