
A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1 SECTION 1. Chapter 431, Hawaii Revised Statutes, is
2 amended by adding a new section to part VI of article 10A to be
3 appropriately designated and to read as follows:

4 "§431:10A- Limited-duration health insurance. (a) No
5 insurer shall renew or re-enroll an individual in a limited-
6 duration health insurance policy or contract if the individual
7 was eligible to purchase health insurance through the federal
8 health insurance marketplace during an open enrollment period,
9 as provided by title 45 Code of Federal Regulations section
10 155.410, or a special enrollment period, as provided by title 45
11 Code of Federal Regulations section 155.420, in the previous
12 calendar year.

13 (b) For the purposes of this section:

14 "Limited-duration health insurance coverage" means health
15 insurance coverage provided to an individual under a policy or
16 contract offered by a licensed insurer, regardless of the situs
17 of the delivery of the policy or contract, that has a specified,



1 limited duration of less than days and does not meet all
2 of the requirements otherwise applicable to individual health
3 insurance.

4 "Renew or re-enroll" means the issuance of the same or a
5 new limited-duration health insurance policy or contract to an
6 individual who has been covered by a limited-duration health
7 insurance policy or contract at any time within the previous
8 calendar year."

9 SECTION 2. Section 431:10A-102.5, Hawaii Revised Statutes,
10 is amended to read as follows:

11 **"§431:10A-102.5 Limited benefit health insurance. (a)**
12 Except as provided in subsection (b) or elsewhere in this
13 article, when used in this article, the terms "accident
14 insurance", "health insurance", or "sickness insurance" shall
15 not include an accident-only, specified disease, hospital
16 indemnity, long-term care, disability, dental, vision, medicare
17 supplement, limited-duration health insurance, or other limited
18 benefit health insurance contract that pays benefits directly to
19 the insured or the insured's assigns and in which the amount of
20 the benefit paid is not based upon the actual costs incurred by
21 the insured.



1 (b) When used in sections 431:10A-104, 431:10A-105,
2 431:10A-106, 431:10A-107, 431:10A-108, 431:10A-109, 431:10A-110,
3 431:10A-111, 431:10A-112, 431:10A-113, 431:10A-114, 431:10A-117,
4 431:10A-118, 431:10A-601, 431:10A-602, 431:10A-603, and
5 431:10A-604, except as otherwise provided, the terms "accident
6 insurance", "accident and health or sickness insurance", "health
7 insurance", or "sickness insurance" shall include an accident-
8 only, specified disease, hospital indemnity, long-term care,
9 disability, dental, vision, medicare supplement, limited-
10 duration health insurance, or other limited benefit health
11 insurance contract regardless of the manner in which benefits
12 are paid; provided that if any of the requirements set forth in
13 the foregoing sections as applied to long-term care insurance
14 conflict with the provisions of article 10H, the provisions of
15 article 10H shall govern and control."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Limited-Duration Health Insurance; Insurers; Renewal or
Reenrollment; Prohibition

Description:

Prohibits an insurer from renewing or re-enrolling an individual in a limited-duration health insurance policy or contract if the individual was eligible to purchase health insurance through the federal health insurance marketplace during an open enrollment period or special enrollment period in the previous calendar year. Specifies that limited-duration health insurance shall be subject to the same provisions of the insurance code currently applicable to limited benefit health insurance. Effective 7/1/2050. (SD1)

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