

By Mr. LaFontaine of Gardner, petition of Raymond M. LaFontaine that health and accident insurance companies, hospital service corporations and medical service corporations be prohibited from reducing benefits based upon multiple policies. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT PROHIBITING HEALTH AND ACCIDENT INSURANCE COMPANIES, HOSPITAL SERVICE CORPORATIONS AND MEDICAL SERVICE CORPORATIONS FROM REDUCING BENEFITS BASED UPON MULTIPLE POLICIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The last sentence of Provision (4) of paragraph
2 (b) of subdivision (3) of section 108 of chapter 175 of the General
3 Laws, as appearing in section 1 of chapter 275 of the acts of 1954,
4 is hereby amended by inserting after the word "coverage", in line
5 19, the following: — nor shall any individually underwritten and
6 individually issued contract or plan of insurance which provides
7 exclusively for accident and sickness benefits and for which one
8 hundred per cent of the premiums have been paid by the insured
9 or by a member of his family or his guardian including any
10 discount received by said payor be included as other valid
11 coverage.

1 SECTION 2. The last sentence of Provision (5) of said
2 paragraph (b) of said subdivision (3) of said section 108 of said
3 chapter 175 of the General Laws, as so appearing, in section 1 of
4 chapter 275 of the acts of 1954 is hereby amended by inserting
5 after the word "determined", in line 13, the following: — nor shall
6 any individually underwritten and individually issued contract or
7 plan of insurance which provides exclusively for accident and
8 sickness benefits and for which one hundred per cent of the
9 premiums have been paid by the insured or by a member of his

10 family of his guardian including any discount received by said
11 payor be included as other valid coverage.

1 SECTION 3. Chapter 176A of the General Laws is hereby
2 amended by inserting after section 8C of said chapter the
3 following section:—

4 *Section 8D.* No contract between a subscriber and the
5 corporation under an individual or group hospital plan shall be
6 delivered or issued or renewed in this commonwealth which by
7 the terms of said contract excludes or reduces the benefits payable
8 or services rendered to or on behalf of any subscriber because
9 benefits have been paid or are also payable under any individually
10 underwritten and individually issued contract or plan of
11 insurance which provides exclusively for accident and sickness
12 benefits and for which one hundred per cent of the subscription
13 fees have been paid by the subscriber or by a member of his
14 family or his guardian including any discount received by said
15 payor.

1 SECTION 4. Section 176B of the General Laws is hereby
2 amended by inserting after section 4C of said chapter the
3 following section:—

4 *Section 4D.* No subscription certificate under an individual or
5 group medical service agreement shall be delivered or issued or
6 renewed in this commonwealth which by the terms of said
7 certificate excludes or reduces the benefits payable or services
8 rendered to or on behalf of any subscriber because benefits have
9 been paid or are also payable under any individually underwritten
10 and individually issued contract or plan of insurance which
11 provides exclusively for accident and sickness benefits and for
12 which one hundred per cent of the subscription fees have been
13 paid by the subscriber or by a member of his family or his
14 guardian including any discount received by said payor.