



**INFORMATIONAL MEMORANDUM
OIR-09-5M**

ISSUED

AUGUST 12, 2009

Florida Office of Insurance Regulation
Kevin M. McCarty, Commissioner

ALL LIFE AND HEALTH INSURERS

The purpose of this memorandum is to notify Life and Health Insurers of the legislative changes to Sections 627.671 and 627.6741, Florida Statutes (F.S.), regarding Medicare supplement insurance, enacted in the 2009 Regular Session of the Florida Legislature. This notice is not intended to be a comprehensive analysis of the bill. You are encouraged to review specific bills found by legislative bill number at www.leg.state.fl.us.

HOUSE BILL 675

Section 1

Section 627.671, F.S. is amended to change the short title of the "Florida Medicare Supplement Reform Act" to the "Alonzo Mourning Access to Care Act."

Section 2

Section 627.6741, F.S. as amended extends open enrollment rights and requires insurers issuing Medicare supplement policies in Florida also to offer coverage to those individuals under age 65 years of age and eligible for Medicare by reason of disability or end-stage renal disease. The individual must be enrolled in Medicare Part B. An insurer may not exclude benefits for individuals eligible by disability or end-stage renal disease based on a pre-existing condition if the individual has a continuous period of creditable coverage.

The initial 6-month enrollment period begins October 1, 2009, for those eligible individuals under age 65 who are disabled or have end-stage renal disease.

An insurer currently offering coverage for Medicare enrollees under age 65 may, for one time only, effect a rate schedule change that redefines the age bands of the premium classes without activating the period of discontinuance.

An insurer is allowed to consider the experience of policies covering individuals under age 65 and eligible for Medicare by reason of disability or end-stage renal disease separately from the balance of the block, until 2015.

Credibility of experience is defined for the premium class including under age 65 lives for filings through the first rate filing in 2015.

This act is effective October 1, 2009.

To ensure compliance with Florida Statutes, all rate schedules, forms, notices and amendments applicable to Chapter 627, Part VIII, F.S. must be filed with and approved by the Florida Office of Insurance Regulation prior to utilization on October 1, 2009.

If you have questions regarding the filing of revised contract **Forms**, please contact Robin Hall, Senior Management Analyst, robin.hall@flor.com, (850) 413-5198, or questions regarding the filing of **Rates**, please contact Linda Ziegler, Actuary, linda.ziegler@flor.com, (850) 413-5032, Life and Health Product Review, Florida Office of Insurance Regulation.