

112TH CONGRESS
1ST SESSION

S. 1500

To give Americans access to affordable child-only health insurance coverage.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Ms. MURKOWSKI (for herself, Mr. ENZI, and Mr. ALEXANDER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To give Americans access to affordable child-only health insurance coverage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensure Children Have
5 Health Care Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The minority staff of the Committee on
9 Health, Education, Labor and Pensions of the Sen-
10 ate surveyed whether children under the age of 19

1 have access to child-only health insurance plans
2 since the enactment of the Patient Protection and
3 Affordable Care Act, as amended by the Health
4 Care and Education Reconciliation Act. The survey
5 found that passage of the new health care law
6 prompted health insurance carriers to stop selling
7 new child-only health plans in many States.

8 (2) Of the 50 States, 17 States reported that
9 there are no health insurance carriers selling child-
10 only health plans to new enrollees in the State.

11 (3) Thirty-nine States indicated that at least
12 one health insurance carrier exited the child-only
13 health insurance market in the State following en-
14 actment of the new health care law.

15 (4) Accordingly, child-only health insurance ac-
16 cess and competition in the market have declined
17 significantly since the passage of the new health care
18 law. This precedent raises concerns about the impact
19 that similar changes, which are scheduled to go into
20 effect in 2014, will have in reducing access and com-
21 petition in the health insurance market.

22 (5) Americans under the age of 19 should be
23 able to get health insurance coverage in every State,
24 and if it is not offered in their State, they should

1 be able to purchase health insurance coverage from
2 another State.

3 **SEC. 3. PURCHASING CHILD-ONLY HEALTH INSURANCE**
4 **ACROSS STATE LINES.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, effective on October 1, 2011, a health insur-
7 ance issuer that is licensed to offer child-only health insur-
8 ance coverage in a State may also offer such coverage to
9 eligible residents of other States. The laws of the State
10 in which the issuer is licensed shall apply with respect to
11 any such coverage.

12 (b) OPEN ENROLLMENT.—Not later than 30 days
13 after the date of enactment of this Act, the Secretary of
14 Health and Human Services shall provide for the applica-
15 tion of a uniform annual enrollment period of at least 45
16 days with respect to child-only health insurance coverage
17 to which this section applies.

18 (c) REGULATIONS.—Not later than 60 days after the
19 date of enactment of this Act, the Secretary of Health and
20 Human Services shall promulgate regulations to carry out
21 this section, including regulations that—

22 (1) provide protections to enrollees under such
23 regulations;

1 (2) ensure the solvency of health insurance
2 issuers that offer coverage under such regulations;
3 and

4 (3) clarify the procedures that would apply
5 when an enrollee has a complaint concerning their
6 coverage.

7 (d) DEFINITIONS.—

8 (1) IN GENERAL.—The definitions contained in
9 section 2791 of the Public Health Service Act (42
10 U.S.C. 300gg–91) shall apply for purposes of this
11 section.

12 (2) CHILD-ONLY HEALTH INSURANCE COV-
13 ERAGE.—The term “child-only health insurance cov-
14 erage” means health insurance coverage that is of-
15 fered only to individuals who are under 19 years of
16 age.

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