

PROPOSED AMENDMENT

HB 1260 # 3

DIGEST

Medicare supplement insurance birthday rule. Provides that the prohibition on denying, conditioning, or discriminating in the pricing of Medicare supplement policies for certain applicants applies to an applicant who submits an application for a Medicare supplement policy or certificate during the period beginning one month before the applicant's birthday and ending one month after the applicant's birthday. (Under current law, the provision applies to an applicant who submits an application for a Medicare supplement policy or certificate within 60 days of the applicant's birthday.)

- 1 Page 5, between lines 5 and 6, begin a new paragraph and insert:
2 "SECTION 7. IC 27-8-13-9.3, AS ADDED BY P.L.56-2025,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2027]: Sec. 9.3. (a) **Except as provided in subsection**
5 **(b)**, this section applies to a Medicare supplement policy or certificate
6 delivered, issued, or renewed on or after January 1, 2026.
7 **(b) The amendments made to this section in the 2026 session of**
8 **the general assembly apply to a Medicare supplement policy or**
9 **certificate delivered, issued, or renewed on or after January 1,**
10 **2027.**
11 ~~(b)~~ (c) This section applies to:
12 (1) an applicant who submits an application for a Medicare
13 supplement policy or certificate before or during the six (6) month
14 period beginning on the first day of the first month during which
15 the applicant is:
16 (A) at least sixty-five (65) years of age; and
17 (B) timely enrolled for benefits under Medicare Part B without
18 penalty under federal law; and
19 (2) an applicant who:
20 (A) is at least sixty-five (65) years of age;
21 (B) is insured under a Medicare supplement policy or
22 certificate;
23 (C) submits an application for a Medicare supplement policy
24 or certificate;

- 1 (i) to an issuer that is different than the issuer of the
 2 applicant's current Medicare supplement policy or
 3 certificate; and
 4 (ii) ~~within sixty (60) days of~~ **during the period beginning**
 5 **one (1) month before** the applicant's birthday **and ending**
 6 **one (1) month after the applicant's birthday;** and
 7 (D) seeks to maintain the same type of lettered Medicare
 8 supplement plan, including any variation of the lettered plan.
 9 ~~(c)~~ **(d)** An issuer of a Medicare supplement policy or certificate
 10 shall not deny, condition the issuance or effectiveness of, or
 11 discriminate in the pricing of a Medicare supplement policy or
 12 certificate because of the health status, claims experience, receipt of
 13 health care, or medical condition of an applicant to which subsection
 14 ~~(b)~~ **(c)** applies.
 15 ~~(d)~~ **(e)** A new Medicare supplement policy or certificate issued to an
 16 applicant under subsection ~~(b)(2)~~ **(c)(2)** must go into effect on the first
 17 day of the month that is at least thirty (30) days after the signature date
 18 on the application for the Medicare supplement policy or certificate."
 19 Renumber all SECTIONS consecutively.
 (Reference is to HB 1260 as introduced.)