

Sen. Feltes, Dist 15
Sen. Fuller Clark, Dist 21
Rep. Wallner, Merr. 10
Rep. Ley, Ches. 9
March 12, 2020
2020-1212s
04/10

Amendment to SB 507

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to prescription medication for treatment or prevention of communicable
4 disease, requiring insurers to waive cost-sharing for coronavirus testing, and
5 establishing certain protections regarding the coronavirus.
6

7 Amend the bill by replacing all after section 2 with the following:

8
9 3 Short Title. Sections 4-17 of this act shall be known as the "Coronavirus Quarantine and
10 Public Health Protection Act of 2020."

11 4 New Section; Accident and Health Insurance; Cost-Sharing for Testing for the Coronavirus
12 (COVID-19) Waived; Individual. Amend RSA 415 by inserting after section 6-x the following new
13 section:

14 415:6-y Cost-Sharing for Testing for the Coronavirus (COVID-19) Waived. Each insurer that
15 issues or renews any individual policy of accident or health insurance providing benefits for medical
16 or hospital expenses, shall waive cost-sharing for coronavirus (COVID-19) testing for certificate
17 holders of such insurance who are residents of this state.

18 5 New Section; Accident and Health Insurance; Cost-Sharing for Testing for the Coronavirus
19 (COVID-19) Waived; Group. Amend RSA 415 by inserting after section 18-bb the following new
20 section:

21 415:18-cc Cost-Sharing for Testing for the Coronavirus (COVID-19) Waived. Each insurer that
22 issues or renews any policy of group or blanket accident or health insurance providing benefits for
23 medical or hospital expenses, shall provide to certificate holders of such insurance, who are residents
24 of this state, shall waive cost-sharing for coronavirus (COVID-19) testing for certificate holders of
25 such insurance, who are residents of this state.

26 6 Health Services Corporations; Applicable Statutes. Amend RSA 420-A:2 to read as follows:

27 420-A:2 Applicable Statutes. Every health service corporation shall be governed by this chapter
28 and the relevant provisions of RSA 161-H, and shall be exempt from this title except for the
29 provisions of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415-A, RSA 415-F, RSA 415:6,
30 II(4), RSA 415:6-g, RSA 415:6-k, RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-t, RSA 415:6-u,
31 RSA 415:6-v, RSA 415:6-w, RSA 415:6-x, **RSA 415:6-y**, RSA 415:18, V, RSA 415:18, XVI and XVII,

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1 RSA 415:18, VII-a, RSA 415:18-a, RSA 415:18-i, RSA 415:18-j, RSA 415:18-o, RSA 415:18-r, RSA
2 415:18-t, RSA 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-y, RSA 415:18-z, RSA 415:18-aa,
3 RSA 415:18-bb, **RSA 415:18-cc**, RSA 415:22, RSA 417, RSA 417-E, RSA 420-J, and all applicable
4 provisions of title XXXVII wherein such corporations are specifically included. Every health service
5 corporation and its agents shall be subject to the fees prescribed for health service corporations
6 under RSA 400-A:29, VII.

7 7 Health Services Corporations; Applicable Statutes; Effective January 2021. Amend RSA 420-
8 A:2 to read as follows:

9 420-A:2 Applicable Statutes. Every health service corporation shall be governed by this chapter
10 and the relevant provisions of RSA 161-H, and shall be exempt from this title except for the
11 provisions of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415-A, RSA 415-F, RSA 415:6,
12 II(4), RSA 415:6-g, RSA 415:6-k, RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-u, RSA 415:6-v,
13 RSA 415:6-w, RSA 415:6-x, **RSA 415:6-y**, RSA 415:18, V, RSA 415:18, XVI and XVII, RSA 415:18,
14 VII-a, RSA 415:18-a, RSA 415:18-i, RSA 415:18-j, RSA 415:18-o, RSA 415:18-r, RSA 415:18-t, RSA
15 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-z, RSA 415:18-aa, RSA 415:18-bb, **RSA 415:18-**
16 **cc**, RSA 415:22, RSA 417, RSA 417-E, RSA 420-J, and all applicable provisions of title XXXVII
17 wherein such corporations are specifically included. Every health service corporation and its agents
18 shall be subject to the fees prescribed for health service corporations under RSA 400-A:29, VII.

19 8 Health Maintenance Organizations; Statutory Construction. Amend RSA 420-B:20, III to read
20 as follows:

21 III. The requirements of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415:6-g,
22 RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-t, RSA 415:6-u, RSA 415:6-v, RSA 415:6-w, RSA
23 415:6-x, **RSA 415:6-y**, RSA 415:18, VII-a, RSA 415:18, XVI and XVII, RSA 415:18-i, RSA 415:18-j,
24 RSA 415:18-r, RSA 415:18-t, RSA 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-y, RSA
25 415:18-z, RSA 415:18-aa, RSA 415:18-bb, **RSA 415:18-cc**, RSA 415-A, RSA 415-F, RSA 420-G, and
26 RSA 420-J shall apply to health maintenance organizations.

27 9 Health Maintenance Organizations; Statutory Construction; Effective January 1, 2021.
28 Amend RSA 420-B:20, III to read as follows:

29 III. The requirements of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415:6-g,
30 RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-u, RSA 415:6-v, RSA 415:6-w, RSA 415:6-x, **RSA**
31 **415:6-y**, RSA 415:18, VII-a, RSA 415:18, XVI and XVII, RSA 415:18-i, RSA 415:18-j, RSA 415:18-r,
32 RSA 415:18-t, RSA 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-z, RSA 415:18-aa, RSA
33 415:18-bb, **RSA 415:18-cc**, RSA 415-A, RSA 415-F, RSA 420-G, and RSA 420-J shall apply to health
34 maintenance organizations.

35 10 New Subparagraph; Medicaid Managed Care; Cost-Sharing for Certain Testing Waived.
36 Amend RSA 126-A:5, XIX by inserting after subparagraph (k) the following new subparagraph:

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1 (l) Managed care organizations shall waive all cost-sharing for coronavirus (COVID-19)
2 testing for Medicaid recipients receiving care pursuant to this paragraph.

3 11 New Paragraph; State Employees Health Insurance; Medical and Surgical Benefits. Amend
4 RSA 21-I:30 by inserting after paragraph XVI the following new paragraph:

5 XVII. Medical and surgical benefits provided under this subdivision shall include waiving
6 cost-sharing for testing for the coronavirus (COVID-19).

7 12 New Section; Protective Legislation. Amend RSA 275 by inserting after section 52-a the
8 following new section:

9 275:52-b Protections for Coronavirus (COVID-19). The provisions of the federal Family and
10 Medical Leave Act, or the federal Family and Medical Leave Act of 1993, 29 U.S.C. section 28, shall
11 be extended to all employees of employers with at least 5 or more employees for any employee in
12 quarantine, or covered family member in quarantine, for coronavirus or COVID-19, as directed by a
13 medical provider.

14 13 New Subparagraph; Unemployment Compensation; Self-Employment Assistance Program.
15 Amend RSA 282-A:31-h, V by inserting after subparagraph (e) the following new subparagraph:

16 (f) The requirements of this chapter not met due to a participant's quarantine for
17 coronavirus or COVID-19 as directed by a medical provider shall not be applicable to the participant.

18 14 New Subparagraph; Unemployment Compensation; Benefit Eligibility Conditions. Amend
19 RSA 282-A:31, I by inserting after subparagraph (i) the following new subparagraph:

20 (j) Subparagraphs (a) through (i) shall not apply to an individual in quarantine for
21 coronavirus or COVID-19, as directed by a medical provider.

22 15 New Paragraph; Unemployment Compensation; Disqualification for Benefits. Amend RSA
23 282-A:32 by inserting after paragraph IV the following new paragraph:

24 V. The disqualification provisions in paragraphs I and II shall not apply to individuals in
25 quarantine for coronavirus or COVID-19, as directed by a medical provider. Individuals temporarily
26 unable to work due to a medical provider directed quarantine for the coronavirus or COVID-19 are
27 deemed to be unemployed through no fault of their own, shall be eligible for unemployment
28 insurance benefits, and all conditions to begin or of continued eligibility that would otherwise
29 require in-person attendance at a district office shall be waived.

30 16 Unemployment Compensation; Unavailable for Work. Amend RSA 282-A:39 to read as
31 follows:

32 282-A:39 Unavailable for Work. An individual shall be disqualified for benefits for any week or
33 weeks during any part of which he is not available for work outside a home, irrespective of his
34 reason for refusing to be available for work outside a home, ***unless the individual is in***
35 ***quarantine for coronavirus (COVID-19) as directed by a medical provider.***

36 17 New Paragraph; Department of Health and Human Services; Commissioner's Duties.
37 Amend RSA 126-A:5 by inserting after paragraph XXXIII the following new paragraph:

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1 XXXIV. As soon as practicable, and no later than 20 days after the effective date of this
2 paragraph, the commissioner shall submit a statewide section 1115 demonstration waiver to the
3 federal Centers for Medicare and Medicaid Services (CMS) for the purposes of covering any and all
4 costs of care for the coronavirus (COVID-19) including testing and treatment costs for the uninsured.

5 18 Effective Date.

6 I. Sections 7 and 9 of this act shall take effect January 1, 2021 at 12:04 p.m.

7 II. The remainder of this act shall take effect upon after its passage.

UNAPPROVED

2020-1212s

AMENDED ANALYSIS

This bill:

- I. Clarifies administration of certain drugs or treatment to prevent communicable disease.
- II. Establishes insurance coverage for the costs associated with testing for the coronavirus (COVID-19).
- III. Establishes protections for persons who are quarantining as a result of the coronavirus (COVID-19).