CHAPTER 218
SB 47 - FINAL VERSION

01/30/2025 0056s

2025 SESSION

25-0935
11/05

SENATE BILL ***47***

AN ACT requiring certain health insurance policies of a birth mother to provide coverage for a newly born child from the moment of birth.

SPONSORS: Sen. Birdsell, Dist 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill makes a birth mother's health insurance policy the primary policy for a newborn child's health care unless the mother has no insurance or coverage under an employer-sponsored health plan.

This bill is at the request of the insurance department.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT requiring certain health insurance policies of a birth mother to provide coverage for a newly born child from the moment of birth.

Be it Enacted by the Senate and House of Representatives in General Court convened:

218:1 Insurance Policy of Birth Mother; Primary Coverage. Amend RSA 415:22 to read as follows:

415:22 Newborn Children.

I. All individual and group health insurance policies providing coverage on a provision of service or an expense incurred basis shall also provide [~~that~~] ***as a covered benefit under the policy coverage for*** the health insurance benefits [~~applicable for children are payable with respect to~~] ***for*** a newly born child of the insured or subscriber or a newly born child of a dependent child of the insured or subscriber from the moment of birth. ***The policy of the birth mother shall always be primary, and benefits paid for the newly born child shall not be subject to any additional cost sharing. Services for the newly born child shall only be covered under the policy of the other parent in the event the birth mother does not have health insurance or coverage for the newly born child under an employer-sponsored health plan.***

II. Coverage for newly born children shall [~~consist of coverage of injury or sickness~~] ***be the same as provided by the policy for other covered persons*** including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

III. If payment of a specific premium or subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required premium or fee must be furnished to the insurer or nonprofit service or indemnity corporation within 31 days after the date of birth in order to have the coverage continue beyond such 31-day period. ***No additional premium shall be collected for coverage of the newborn child for the first 31 days.*** Unless the policy or contract specifically provides that grandchildren of the insured or subscriber are eligible for coverage, coverage for newly born children of a dependent child of the insured or subscriber shall not continue beyond the initial 31-day period following birth. Nor shall such newly born children be considered dependents of the insured for any purpose addressed in this title.

IV. This section applies to all insurance policies and subscriber contracts delivered or issued for delivery in this state including those in force as of July 5, 1975.

218:2 Effective Date. This act shall take effect January 1, 2026.

Approved: July 15, 2025
Effective Date: January 01, 2026