



General Assembly

February Session, 2006

Raised Bill No. **425**

LCO No. 2111



Referred to Committee on

Introduced by:
INSURANCE & REAL ESTATE
(INS)

**AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES
RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED
BLOOD ALCOHOL CONTENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (Effective October 1, 2006) No insurer that delivers,
2 issues for delivery, amends, renews or continues an automobile, life or
3 health insurance policy in this state on or after October 1, 2006, shall
4 deny coverage for any injury or loss sustained by any person when
5 such injury or loss is alleged to have occurred or occur under
6 circumstances in which (1) such person has an elevated blood alcohol
7 content, as defined in subsection (a) of section 14-227a of the 2006
8 supplement to the general statutes, or (2) such person has sustained
9 such injury or loss while under the influence of intoxicating liquor or
10 any drug or both.

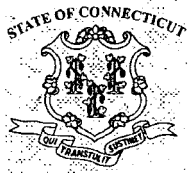
This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2006	New section
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Statement of Purpose:

To ensure payment for health care services rendered to state residents who have an elevated blood alcohol content or who are under the influence of intoxicating liquor or any drug or both.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]



Senate

General Assembly

February Session, 2006

File No. 201

Substitute Senate Bill No. 425

CONNECTICUT STATE LIBRARY
LEGISLATIVE REFERENCE SECTION

Senate, March 29, 2006

The Committee on Insurance and Real Estate reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES
RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED
BLOOD ALCOHOL CONTENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2006*) No individual health
2 insurance policy providing coverage of the type specified in
3 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
4 statutes delivered, issued for delivery, amended, renewed or
5 continued in this state on or after October 1, 2006, shall deny coverage
6 for any injury or loss sustained by any person when such injury or loss
7 is alleged to have occurred or occur under circumstances in which (1)
8 such person has an elevated blood alcohol content, as defined in
9 subsection (a) of section 14-227a of the 2006 supplement to the general
10 statutes, or (2) such person has sustained such injury or loss while
11 under the influence of intoxicating liquor or any drug or both.
- 12 Sec. 2. (NEW) (*Effective October 1, 2006*) No group health insurance
13 policy providing coverage of the type specified in subdivisions (1), (2),

14 (4), (11) and (12) of section 38a-469 of the general statutes delivered,
15 issued for delivery, amended, renewed or continued in this state on or
16 after October 1, 2006, shall deny coverage for any injury or loss
17 sustained by any person when such injury or loss is alleged to have
18 occurred or occur on or under circumstances in which (1) such person
19 has an elevated blood alcohol content, as defined in subsection (a) of
20 section 14-27a of the 2006 supplement to the general statutes, or (2)
21 such person has sustained such injury or loss while under the
22 influence of intoxicating liquor or any drug or both.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	New section
Sec. 2	October 1, 2006	New section

INS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect
State Comptroller - Fringe Benefits	None

Municipal Impact:

Municipalities	Effect	FY 07 \$	FY 08 \$
Various Municipalities	Potential Cost	Indeterminate	Indeterminate

Explanation

The state employee health plans do not have the exclusion prohibited in the bill, therefore there would be no cost effect to the state as an employer.

The bill's impact on municipal health insurance costs will vary based on existing municipal coverage. To the extent that a municipal plan denies coverage due to an elevated blood alcohol level, there may be increased costs to provide it that cannot be determined.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 425****AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED BLOOD ALCOHOL CONTENT.****SUMMARY:**

This bill prohibits health insurance policies from denying coverage for a person's injuries or losses that allegedly occurred when he had an elevated blood alcohol level (BAC) or was under the influence of intoxicating liquor, drugs, or both. An "elevated BAC" is 0.08% or more. (The bill does not (1) define "under the influence" or (2) specify who makes the determination. It refers to "losses," which is a property-casualty insurance reference and is not typically used in health insurance policies. It apparently prohibits a policy from denying coverage for health care services rendered to treat injuries in certain circumstances, although it specifies denying coverage for injuries.)

The bill applies to individual and group health insurance policies delivered, issued, amended, renewed, or continued on or after October 1, 2006 that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including HMOs.

EFFECTIVE DATE: October 1, 2006

BACKGROUND***Related Case***

"Driving under the influence" means a person's ability to drive is affected to an appreciable degree (*Infield v. Sullivan*, 151 Conn. 506 (1964)).

[106]

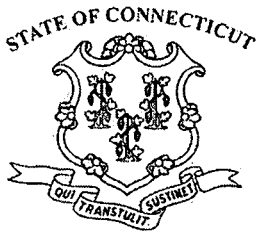
COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/16/2006)

CONNECTICUT
STATE LIBRARY
LEGISLATIVE REFERENCE
SECTION



General Assembly

~~SENATE~~ Amendment A. 7

February Session, 2006

LCO No. 3749



Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. HANDLEY, 4th Dist.

SEN. LOONEY, 11th Dist.

SEN. MCDONALD, 27th Dist.

SEN. GAFFEY, 13th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. Senate Bill No. 425

File No. 201

Cal. No. 176

"AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED BLOOD ALCOHOL CONTENT."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) No individual health
4 insurance policy providing coverage of the type specified in
5 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
6 statutes delivered, issued for delivery, amended, renewed or
7 continued in this state on or after October 1, 2006, shall deny coverage
8 for health care services rendered to treat any injury sustained by any
9 person when such injury is alleged to have occurred or occurs under
10 circumstances in which (1) such person has an elevated blood alcohol
11 content, or (2) such person has sustained such injury while under the
12 influence of intoxicating liquor or any drug or both. For the purposes
13 of this section, "elevated blood alcohol content" means a ratio of

14 alcohol in the blood of such person that is eight-hundredths of one per
15 cent or more of alcohol, by weight.

16 Sec. 2. (NEW) (*Effective October 1, 2006*) No group health insurance
17 policy providing coverage of the type specified in subdivisions (1), (2),
18 (4), (11) and (12) of section 38a-469 of the general statutes delivered,
19 issued for delivery, amended, renewed or continued in this state on or
20 after October 1, 2006, shall deny coverage for health care services
21 rendered to treat any injury sustained by any person when such injury
22 is alleged to have occurred or occurs under circumstances in which (1)
23 such person has an elevated blood alcohol content, or (2) such person
24 has sustained such injury while under the influence of intoxicating
25 liquor or any drug or both. For the purposes of this section, "elevated
26 blood alcohol content" means a ratio of alcohol in the blood of such
27 person that is eight-hundredths of one per cent or more of alcohol, by
28 weight."

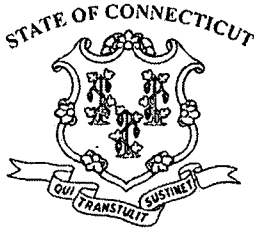
This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section

176

SENATE AMENDMENT

Calendar: 176
LCO: 3749
Bill: 425 **A**

ADOPTED voice REJECTED voice
ADOPTED roll REJECTED roll



General Assembly

[SENATE] Amendment

February Session, 2006

LCO No. 3740



Offered by:

SEN. DELUCA, 32nd Dist.

To: Subst. Senate Bill No. 425

File No. 201

Cal. No. 176

**"AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES
RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED
BLOOD ALCOHOL CONTENT."**

1 In lines 6, 10, 16, 17 and 21, strike "or loss"

SENATE AMENDMENT

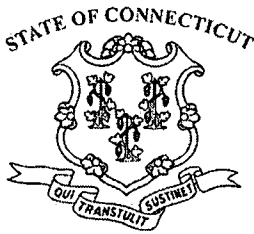
Calendar: 176

ECO: 3740

ENR: 425

ADOPTED voice REJECTED voice

ADOPTED roll REJECTED roll



General Assembly

[SENATE] Amendment

February Session, 2006

LCO No. 3753



Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. GAFFEY, 13th Dist.

SEN. HANDLEY, 4th Dist.
SEN. MCDONALD, 27th Dist.
SEN. CRISCO, 17th Dist.

To: Subst. Senate Bill No. 425

File No. 201

Cal. No. 176

**"AN ACT ENSURING PAYMENT FOR HEALTH CARE SERVICES
RENDERED TO CONNECTICUT RESIDENTS WITH AN ELEVATED
BLOOD ALCOHOL CONTENT."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) No individual health
4 insurance policy providing coverage of the type specified in
5 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
6 statutes delivered, issued for delivery, amended, renewed or
7 continued in this state on or after October 1, 2006, shall deny coverage
8 for health care services rendered to treat any injury sustained by any
9 person when such injury is alleged to have occurred or occurs under
10 circumstances in which such person has an elevated blood alcohol
11 content. For the purposes of this section, "elevated blood alcohol
12 content" means a ratio of alcohol in the blood of such person that is
13 eight-hundredths of one per cent or more of alcohol, by weight.

LCO No. 3753

1

CONNECTICUT STATE LIBRARY
LAW/LEGISLATIVE REFERENCE UNIT

14 Sec. 2. (NEW) (*Effective October 1, 2006*) No group health insurance
 15 policy providing coverage of the type specified in subdivisions (1), (2),
 16 (4), (11) and (12) of section 38a-469 of the general statutes delivered,
 17 issued for delivery, amended, renewed or continued in this state on or
 18 after October 1, 2006, shall deny coverage for health care services
 19 rendered to treat any injury sustained by any person when such injury
 20 is alleged to have occurred or occurs under circumstances in which
 21 such person has an elevated blood alcohol content. For the purposes of
 22 this section, "elevated blood alcohol content" means a ratio of alcohol
 23 in the blood of such person that is eight-hundredths of one per cent or
 24 more of alcohol, by weight."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section

SENATE AMENDMENT

Calendar: 174
LCO: 3753
Bill: 425

ADOPTED voice REJECTED voice

ADOPTED roll REJECTED roll