

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1428

5 By: Representative D. Hutchinson
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE CHILD-ONLY INDIVIDUAL HEALTH
9 INSURANCE POLICIES; TO DECLARE AN EMERGENCY; AND FOR
10 OTHER PURPOSES.
11

Subtitle

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13 TO REQUIRE CHILD-ONLY INDIVIDUAL HEALTH
14 INSURANCE POLICIES AND TO DECLARE AN
15 EMERGENCY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1 is amended
22 to add an additional section to read as follows:

23 23-79-155. Child-only individual health insurance policies.

24 (a) The Insurance Commissioner shall establish a mandatory open-
25 enrollment period in which health insurers shall offer child-only individual
26 health insurance policies in this state to children under nineteen (19) years
27 of age.

28 (b) The commissioner shall:

29 (1) Determine the number and length of an open-enrollment period
30 to begin before December 31, 2011; and

31 (2) Require annually at least one (1) open-enrollment period of
32 at least thirty (30) days.
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34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly of the State of Arkansas that recent changes in federal law
36 prohibit health insurers from imposing preexisting-condition exclusions on



1 persons under nineteen (19) years of age; that there exists a limited market
2 in this state of health insurers voluntarily offering child-only individual
3 health insurance policies; and that this act is immediately necessary because
4 children with preexisting conditions may be unable to obtain health insurance
5 coverage. Therefore, an emergency is declared to exist, and this act being
6 immediately necessary for the preservation of the public peace, health, and
7 safety shall become effective on:

8 (1) The date of its approval by the Governor;

9 (2) If the bill is neither approved nor vetoed by the Governor,
10 the expiration of the period of time during which the Governor may veto the
11 bill; or

12 (3) If the bill is vetoed by the Governor and the veto is
13 overridden, the date the last house overrides the veto.

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