

(4) "ORDER" MEANS A RULING THAT:

(I) IS ISSUED BY A COURT OF THIS STATE OR ANOTHER STATE OR AN ADMINISTRATIVE AGENCY OF ANOTHER STATE; AND

(II) CREATES OR RECOGNIZES THE RIGHT OF A CHILD TO RECEIVE BENEFITS UNDER A PARENT'S HEALTH INSURANCE COVERAGE.

(B) SCOPE OF SECTION.

THIS SECTION APPLIES TO:

(1) COMMERCIAL INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS THAT OPERATE IN THE STATE UNDER A CERTIFICATE OF AUTHORITY;

(2) GROUP HEALTH PLANS, AS DEFINED IN § 607(1) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 (ERISA); AND

(3) PERSONS THAT OFFER A SERVICE BENEFIT PLAN, AS DEFINED IN FEDERAL LAW.

(C) IN GENERAL.

IF A PARENT ELIGIBLE FOR FAMILY MEMBERS' COVERAGE IS REQUIRED UNDER AN ORDER TO PROVIDE HEALTH INSURANCE COVERAGE FOR A CHILD, AN ENTITY SUBJECT TO THIS SECTION:

(1) SHALL ALLOW THE INSURING PARENT TO ENROLL IN FAMILY MEMBERS' COVERAGE AND INCLUDE THE CHILD IN THAT COVERAGE REGARDLESS OF ENROLLMENT PERIOD RESTRICTIONS;

(2) IF THE INSURING PARENT IS ENROLLED IN HEALTH INSURANCE COVERAGE BUT DOES NOT INCLUDE THE CHILD IN THE ENROLLMENT, SHALL:

(I) ALLOW THE NONINSURING PARENT, CHILD SUPPORT ENFORCEMENT AGENCY, OR DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO APPLY FOR ENROLLMENT ON BEHALF OF THE CHILD; AND

(II) INCLUDE THE CHILD IN THE COVERAGE REGARDLESS OF ENROLLMENT PERIOD RESTRICTIONS; AND

(3) MAY NOT TERMINATE HEALTH INSURANCE COVERAGE FOR THE CHILD UNLESS WRITTEN EVIDENCE IS PROVIDED TO THE ENTITY THAT:

(I) THE ORDER IS NO LONGER IN EFFECT;

(II) THE CHILD HAS BEEN OR WILL BE ENROLLED UNDER OTHER REASONABLE HEALTH INSURANCE COVERAGE THAT WILL TAKE EFFECT ON OR BEFORE THE EFFECTIVE DATE OF THE TERMINATION;

(III) THE EMPLOYER HAS ELIMINATED FAMILY MEMBERS' COVERAGE FOR ALL OF ITS EMPLOYEES; OR