



FLORIDA MEDIGAP LAW - 2009

With the recent passing of legislation (CS/CS/HB 675) in June 2009, Medicare beneficiaries under the age of 65 and those with ESRD are now able to purchase a Medigap insurance policy in the state of Florida effective October 1, 2009. Please review the following information for a clearer understanding of how this will roll out, how beneficiaries may take advantage of this new option, and where to find a listing of approved companies.

ELIGIBILITY

The conditions for obtaining and becoming eligible for a Medigap policy are the same as for Medicare eligible individuals when they turn age 65 (individual is eligible for and enrolled in Medicare Part A and B).

GUARANTEED ISSUE

If an individual meets the eligibility standard above, regardless of age, he/she will have 6 months in which to obtain a guaranteed issue Medicare supplement policy.

For those already enrolled in Part A & B prior to October 1, 2009, the 6-month guaranteed issue period begins October 1, 2009 and extends to March 31, 2010.

- If an individual does not have prior creditable coverage, they can still obtain a policy but can experience a "waiting period" due to a pre-existing condition.

If someone misses the 6-month guaranteed issue period a company may underwrite the policy. (The same conditions as when an individual turns 65.)

GROUP HEALTH INSURANCE

There is a 2-month period following termination of creditable coverage under a group health insurance policy for an individual to have the same guaranteed issue right.

AVAILABLE COMPANIES

Currently, Medigap insurance companies must complete a rate filing and be approved by the Office of Insurance Regulation (OIR) to sell policies to those under 65 or with ESRD. Those approvals are still being granted by OIR and will extend after October 1st.

As beneficiaries have a 6-month period to obtain a policy, it may benefit them to wait a little while until they have more of a selection of approved companies to choose from.

To help beneficiaries compare plans, please use the following OIR website: <https://apps.fldfs.com/mcws/CWSSearch.aspx>. To start, choose your county. When the age group (0-64) is selected, the tool will provide a list of currently approved plans for that specific age group.