

SB 748 A STAFF MEASURE SUMMARY**Carrier:** Sen. Gelsler**Senate Committee On Health Care**

Action Date: 04/05/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-0-1-0
Yeas: 4 - Beyer, Knopp, Manning Jr, Patterson
Exc: 1 - Heard
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Brian Nieubuurt, LPRO Analyst
Meeting Dates: 3/1, 4/5

WHAT THE MEASURE DOES:

Requires Public Employees' Benefit Board (PEBB), Oregon Educators Benefit Board (OEBB), and individual and small group insurance plans that offer coverage for family members to provide insurance coverage to adult disabled children of insureds when: the disability prevents the adult child or sibling from engaging in self-sustaining employment; the adult child or sibling had insurance coverage immediately before exceeding age for eligibility; and the insured claims the disabled adult child or sibling as a dependent for tax purposes. Defines "disabled" and "self-sustaining employment."

ISSUES DISCUSSED:

- Current insurance coverage requirements for coverage of adult disabled children
- Oregon's development disability system, including treatment of employment
- Internal Revenue Service definition of "permanent and totally disabled"

EFFECT OF AMENDMENT:

Removes applicability of coverage requirement to adult siblings.

BACKGROUND:

The federal Patient Protection and Affordable Care Act (ACA), enacted in 2010, requires private and employer-based health insurance policies to continue coverage of dependent children up until the age of 26. Oregon has codified this requirement in state laws governing insurance by requiring individual and group health benefit plans to provide coverage of children under the age of 26 (ORS 743A.090). While there are no federal laws that require coverage once the dependent has attained the age of 26 for any category of individuals, including persons with disabilities, several states have enacted laws that require continued health insurance coverage of disabled dependents beyond the age of 26. Generally, these mandates have two qualifications: (1) the person be unable to maintain self-sustaining employment due to their disability; and (2) the person be dependent on the policyholder for support and maintenance.

Senate Bill 748 A requires the Public Employees' Benefit Board (PEBB), Oregon Educators Benefit Board (OEBB), and individual and small group insurance plans to provide insurance coverage to adult disabled children of insureds under specified circumstances.