

3/21/23

Barry Skolnick testimony regarding SF 1486

Chair Klein and esteemed members of the Senate Commerce and Consumer Protection Committee,

Please support the critically important bill, SF 1486, to prohibit discrimination against people with pre-existing conditions when applying for Medicare supplement health insurance policies.

I first found out about this horrible abuse of sick and frail people when I considered transferring to a new Medigap insurance plan here in Minnesota from my current plan.

What I discovered was that because of my medical conditions of diabetes, chronic kidney disease, and a mini-stroke (TIA) I could be banned from even being considered by a different plan for years, perhaps for my entire life.

I discovered to my horror that Minnesota allowed very restrictive regulations that permitted insurance companies to ban patients with chronic conditions, through no fault of their own, to be deprived of the health insurance they so desperately need.

Insurance companies should not be able to cherry pick out only the most healthy clients and cast aside needy people who deserve insurance too.

SF 1486 corrects this oversight primarily by prohibiting bans of patients with pre-existing conditions in Medicare supplement insurance policies.

Other states ban insurance companies from using pre-existing conditions and underwriting. As a person with medical conditions, please allow a competitive market in which frail people with health conditions can have a choice among Medigap plans just like a totally healthy person. To do otherwise would be ethically and morally a bad choice. Please!

Thank you for your time and consideration.

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## How To Take Advantage of Your State's Medicare Supplement Birthday Rule

Taking advantage of your state's Medigap birthday rule is a great way to save money and receive the benefits you need for your healthcare. Only certain states offer this unique period, and navigating your state's guidelines doesn't have to be complicated.

In short, Medicare Supplement birthday rules offer a chance to change your Medicare Supplement coverage without answering [underwriting health questions](#). Thus, the rules open up plan options for those who would not otherwise pass the underwriting process due to pre-existing conditions.

If you reside in one of the six states with a Medigap birthday rule, the first step is understanding the stipulations in your specific state. However, if you are on a Medicare Advantage plan, this is not an opportunity for you to change to Original Medicare and add a Medicare Supplement.

## California and Oregon Birthday Rule

As the originators of the birthday rule, California and Oregon continue to allow residential policyholders to utilize this annually.

- The California birthday rule applies to all residents who already have a Medigap policy. Most importantly, the rule starts 30 days before their birthday and ends 60 days following. During this time, policyholders in The Golden State can change to any plan of equal or lesser benefit with the carrier of their choice. Beneficiaries do not need to answer underwriting health questions.
- The Oregon birthday rule works similarly to California's and allows policyholders to change to any carrier or plan of equal or lesser benefit with no health underwriting. The Beaver State's birthday rule begins on your date of birth and ends 30 days following. This gives residents a 31-day period to make changes to their plans.

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## More States Added a Birthday Rule in 2022

In 2022, Illinois, Louisiana, and Nevada joined California and Oregon on the list of states with a Medicare Supplement birthday rule. This means there are now six states that allow their residents an annual birthday rule to review Medigap coverage.

- Idaho: Medigap policyholders will be eligible to enroll in any plan of equal or lesser benefit. Additionally, the plan may be with any carrier. This rule lasts 63 days, beginning on the policyholder's birthday.
  
- Illinois: The Medicare Supplement birthday rule only applies to beneficiaries between the ages of 65 and 75. During this period, they can enroll in a plan from their current carrier. However, their new plan's benefit level must not exceed that of their current plan. This open enrollment window opens on their date of birth and lasts 45 days.

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- [Louisiana](#): The Medigap birthday rule opens its window 30 days before your birthday and ends 63 days after your birthday. Thus, you get a 93-day window to change your current Medigap plan. You can switch to a policy of equal or lesser benefit through your current carrier during this time.
- [Nevada](#): Beneficiaries can change their Medigap plan for a period of at least 61 days. This window opens on the first day of the beneficiary's birth month. During this time, policyholders can change their Medigap carrier or plan. However, the new policy must be of an equal or lesser benefit level to their current plan.

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There are six states that have a Medigap birthday rule, including California, Idaho, Illinois, Louisiana, Nevada, and Oregon. Before 2022, only two states provided Medigap beneficiaries with a birthday rule. [Oregon](#) and [California](#) were the first.

Now, four additional states are implementing birthday rules for Medicare Supplement policies. These states are Idaho, Illinois, Louisiana, and Nevada.

In each of the four states, rules and regulations surrounding the Medicare Supplement birthday rule are different. Thus, some states allow policyholders to change to another plan or carrier, while others only enable changes within the same insurer.

Below, we discuss how each state utilizes its birthday rule. In addition, we will review how residents can benefit in their state.