

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2175

Introduced by

Senators J. Lee, Grindberg, Nodland

Representatives Delmore, N. Johnson, Uglen

1 A BILL for an Act to amend and reenact subsection 4 of section 26.1-36-22 and subsection 11
2 of section 26.1-36.3-01 of the North Dakota Century Code, relating to health insurance
3 coverage of a full-time student taking a medical leave of absence.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 4 of section 26.1-36-22 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 4. A policy that provides that coverage for a dependent child of an employee or other
8 member of the covered group terminates upon attainment of the limiting age for
9 dependent children specified in the policy does not operate to terminate the
10 coverage of a dependent child: ~~while~~
- 11 a. While the child is a full-time student and has not attained the age of twenty-six
12 years;
- 13 b. While the child is taking a leave of absence of no more than twelve months
14 from full-time student status due to a medically certified injury or illness and
15 has not attained the age of twenty-six years; or ~~while~~
- 16 c. While the child is and continues to be both incapable of self-sustaining
17 employment by reason of mental retardation or physical handicap and chiefly
18 dependent upon the employee or member for support and maintenance,
19 provided proof of incapacity and dependency is furnished to the insurer by the
20 employee or member within thirty-one days of the child's attainment of limiting
21 age and subsequently as may be required by the insurer but not more
22 frequently than annually after the two-year period following the child's
23 attainment of the limiting age.

1 **SECTION 2. AMENDMENT.** Subsection 11 of section 26.1-36.3-01 of the North
2 Dakota Century Code is amended and reenacted as follows:

3 11. "Dependent" means a spouse;~~;~~₁ an unmarried child, including a dependent of an
4 unmarried child, under the age of twenty-two;~~;~~₁ an unmarried child who is a full-time
5 student under the age of twenty-six and who is financially dependent upon the
6 enrollee;~~;~~₁ an unmarried child under the age of twenty-six who is taking a leave of
7 absence of no more than twelve months from full-time student status due to a
8 medically certified injury or illness who is financially dependent upon the enrollee;
9 and an unmarried child, including a dependent of an unmarried child, of any age
10 who is medically certified as disabled and dependent upon the enrollee as set forth
11 in section 26.1-36-22.