

Senate Bill 942

Sponsored by Senator HAYDEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells some health plans to cover a child over the age of 26 in certain circumstances. (Flesch Readability Score: 74.2).

Requires individual and group health benefit plans to cover a child over the age of 26 in certain circumstances.

A BILL FOR AN ACT

1
2 Relating to health insurance coverage for adults over the age of 26; creating new provisions; and
3 amending ORS 743A.090.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 743A.090 is amended to read:

6 743A.090. (1)(a) All individual and group health benefit plans, as defined in ORS 743B.005, that
7 include coverage for a family member of the insured shall also provide that the health insurance
8 benefits applicable for children in the family shall be payable with respect to:

9 (A) A child of the insured from the moment of birth; *[and]*

10 (B) An adopted child effective upon placement for adoption[.]; **and**

11 **(C) A child whose parent is the child's legal guardian for the duration of the**
12 **guardianship.**

13 (b) All individual and group health benefit plans, as defined in ORS 743B.005, that include cov-
14 erage for a family member of the insured shall also provide that the health insurance benefits ap-
15 plicable for children in the family shall be payable with respect to a disabled child of the insured
16 who is 26 years of age or older, if:

17 (A) The insured provides a statement from a physician certifying that the child has an ongoing
18 disability that prevents the child from engaging in self-sustaining employment; **and**

19 (B) The child was covered by a parent's insurance for at least two years immediately before the
20 time the child exceeded the age for eligibility for coverage under the parent's insurance[; *and*].

21 *[(C)(i) The insured claims the child as a dependent of the insured for tax purposes;]*

22 *[(ii) The child files a tax return properly showing adjusted gross income that does not exceed 150*
23 *percent of the federal poverty level; or]*

24 *[(iii) The insured is the legal guardian of the insured's child.]*

25 (2) The coverage of *[natural and adopted]* children required by subsection (1) of this section shall
26 consist of coverage of preventive health services and treatment of injury or sickness, including the
27 necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

28 **(3) An insurer may not exclude coverage of an insured child required in subsection (1)**
29 **of this section after the child is 26 years of age if that coverage is otherwise available as part**
30 **of the insured's health plan for medical, dental or behavioral health services.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 [(3)] (4) If payment of an additional premium is required to provide coverage for a child, the
2 policy may require that notification of the birth of the child or of the placement for adoption of the
3 child and payment of the premium be furnished to the insurer within 31 days after the date of birth
4 or date of placement in order to effectuate the coverage required by this section and to have the
5 coverage extended beyond the 31-day period.

6 [(4)] (5) In any case in which a policy provides coverage for dependent children of participants
7 or beneficiaries, the policy shall provide benefits to dependent children placed with participants or
8 beneficiaries for adoption under the same terms and conditions as apply to the natural, dependent
9 children of the participants and beneficiaries, regardless of whether the adoption has become final.

10 [(5)] (6) As used in this section:

11 (a) “Child” means an individual who is:

12 (A) Under 26 years of age; or

13 (B) Disabled and 26 years of age or older, for purposes of coverage under subsection (1)(b) of this
14 section.

15 (b) “Disabled” means to have a developmental disability, mental illness, **diagnosis of a rare**
16 **disease** or a physical disability that began prior to the age of 26 and that prevents an individual
17 from engaging in self-sustaining employment.

18 (c) “Placement for adoption” means the assumption and retention by a person of a legal obli-
19 gation for total or partial support of a child in anticipation of the adoption of the child. The child’s
20 placement with a person terminates upon the termination of such legal obligations.

21 (d) **“Rare disease” means a disease that affects fewer than 200,000 people in the United**
22 **States.**

23 [(d)] (e) “Self-sustaining employment” means employment [*with annual earnings that exceed 150*
24 *percent of the federal poverty level.*] **that allows the employed to purchase or obtain through**
25 **employment health insurance coverage that does not cost the employed more than 10 percent**
26 **of the gross income the employed earns from that employer.**

27 [(6)] (7) The provisions of ORS 743A.001 do not apply to this section.

28 **SECTION 2. The amendments to ORS 743A.090 by section 1 of this 2025 Act apply to**
29 **health benefit plans issued, renewed or extended on or after the effective date of this 2025**
30 **Act.**

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