



**Bulletin No 2023-01**  
**Effective Date: July 1, 2023**  
**Updates to Rhode Island's Medicare Supplement Insurance Statute**

## **Introduction**

The Rhode Island Office of the Health Insurance Commissioner (OHIC) issues this bulletin for the purpose of providing guidance to Medicare Supplement (*also known as Medigap*) insurance carriers operating in the state of Rhode Island. Effective July 1, 2023, [State of Rhode Island General Law \(RIGL\) 27-18.2-3\(g\)](#), requires Medigap carriers to make Plan A available to any applicant under the age of sixty-five (65) who is eligible for Medicare due to a disability or end-stage renal disease (ESRD), provided that the applicant submits their application during the first six (6) months immediately following the applicant's initial eligibility for Medicare Part B.

RIGL 27-18.2-3(g) further allows OHIC's Commissioner to set an alternate enrollment period. This bulletin specifically advises Medigap insurance carriers of the Commissioner's determination to allow for an alternate enrollment period (*referred to herein as an "open enrollment period"*) for applicants under the age of sixty-five (65) who are eligible for Medicare due to a disability or ESRD upon the effective date of the amended legislation, July 1, 2023.

## **The Alternate Open Enrollment Period**

Beginning July 1, 2023, the effective date of RIGL 27-18.2-3(g), all Medigap carriers who make available Medigap Plan A in the state of Rhode Island shall commence a sixty (60) calendar day open enrollment period for all eligible applicants under age 65 who are eligible for Medicare Part B due to disability or ESRD. This open enrollment period shall last through Wednesday August 30, 2023.

## **Expectations**

Pursuant to RIGL 27-18.2-3(g), during the sixty (60) day open enrollment period, Medigap carriers shall not condition the issuance of a policy or certificate on the medical or health status or receipt of health care by the applicant; and no insurer shall perform individual medical underwriting on any applicant.

## Conclusion

This bulletin shall take effect on July 1, 2023.

Dated at Cranston, Rhode Island this 16<sup>th</sup> day of June 2023.



Cory B. King  
Acting Health Insurance Commissioner