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 16th day of June 2023.

Cory B. King
Acting Health Insurance Commissioner