

GREGG AND SUNUNU URGE SWIFT SENATE ACTION ON FEDERAL MICHELLE'S LAW LEGISLATION

Press Release

By: Brian Lawson

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WASHINGTON- U.S. Senators Judd Gregg and John Sununu (R-NH) today urged Senate leaders to take swift action on their Michelle's Law legislation (S. 400). The bill, introduced in 2007 by Sununu and co-sponsored by Gregg, would provide the extension of existing health insurance coverage to dependant college students for up to one year in the event of a medically necessary leave of absence.

In a letter to the Chairman and Ranking Member of the Senate Committee on Health, Education, Labor, and Pensions, Senator Edward Kennedy (D-MA) and Senator Michael Enzi (R- WY), Gregg and Sununu requested that the Committee mark-up or discharge the bill before the August recess. The text of the letter reads as follows:

Dear Chairman Kennedy and Ranking Member Enzi,

We write to respectfully request that the Senate Health, Education, Labor, and Pensions Committee mark-up or discharge Michelle's Law (S. 400) prior to the upcoming August recess.

As you know, our bill would ensure that dependent college students can maintain health insurance through their parent's coverage during a one-year medically necessary leave of absence. During this time, an ailing student would be able to focus on recovery rather than being both a full-time student and full-time patient.

Michelle's Law has generated bi-partisan support and the backing of 26 Senators. Among them, 12 members of the Senate HELP Committee, including you, Mr. Chairman, have agreed to cosponsor this common sense legislation. Furthermore, S. 400 continues to garner the support of well respected national health, education, and insurance groups which agree that this bill would bring about an important modification to ensure insurance coverage of college students who must interrupt their studies due to a serious illness or injury.

The relevant committees in the House of Representatives are expected to complete their work on companion legislation (H.R. 2851) in the coming days and will move that bill to the floor for consideration. We are confident the HELP Committee will also recognize the importance of this legislation and will see fit to advance S. 400 to the next stage of the legislative process.

The scope of this bill is rather narrow – estimated to apply to less than 1 percent of all college-aged students, have minimal impact on the burdens assumed by health insurers, and a negligible effect on federal tax revenues. However, this modest change will have a dramatic impact on those students and families whose costs and hardships may otherwise be enormous.

We appreciate your consideration of this request.

BACKGROUND: New Hampshire adopted a similar law at the state level, known as "Michelle's Law," after the late Michelle Morse, a 20-year-old college student at Plymouth State University (New Hampshire), was forced to remain a full-time student despite being treated for advanced colon cancer. She died in 2005 soon after graduating from Plymouth State.

Michelle's Law was passed at the state level in New Hampshire in June 2006 and applies to state-regulated insurance plans. New York enacted similar legislation in 1999. The Sununu-Gregg-Clinton bill covers plans regulated at the federal level by the Employee Retirement Security Income Security Act of

1974 (ERISA) and does not impact other state-regulated insurance plans. Nineteen national organizations including the National Health Council, the National Education Association, and America's Health Insurance Plans are supporting the legislation.

The following specific provisions are included in the bi-partisan legislation:

- Maintains existing health coverage up to one year for full-time student "dependents" – age 18 or older who are enrolled in a post-secondary educational institution – whose leave has been certified by a physician;
- Should a student's parents or caregiver switch coverage, a successor ERISA plan that covers dependent care would have to abide by a student's approved leave of absence;
- Summer or semester breaks would not disqualify the medical leave