

STATE MEDIGAP RULES: “Birthday Rule” and Coverage for <65, as of May 11, 2026

State	Coverage for <65?	Effective	“Birthday Rule”?	Effective	Notes
Alabama	NO		NO		
Alaska	NO		NO		<p>Although Alaska does not have an under 65 Medicare Supplement coverage requirement, there are insurers that offer <65 coverage, and the state high risk pool - Alaska Comprehensive Health Insurance Association (ACHIA) - offers a Medicare carveout plan for those under age 65 and covered by Medicare.</p> <p>Many Medicare Supplement companies in Alaska do not have enough members to have credible Alaska data. These insurers rely on nationwide experience in their rate filings. Consequently, even though AK does not have a Birthday Rule or required < 65 coverage, Alaska believes rating impacts related to these rules may also impact Alaska’s market.</p>
Arizona	NO		NO		
Arkansas	YES, coverage for disabled individuals		NO		
California	YES (excluding those w/ ESRD)		Individual entitled to open enrollment 60 days or more commencing with the individual’s birthday to purchase another Medigap policy that offers benefits equal to or lesser than previous coverage with same or different carrier. Notice	Jan 1, 2020	Cal. Ins. Code Section 10192.11

			shall be given at least 30 days and no more than 60 days before open enrollment period and on any notice of benefit modification or premium adjustment.		
Colorado	YES		NO		<p>Analysis:</p> <p>https://staspoprodcus01.blob.core.windows.net/government-affairs/Medigap%20-%20CO%20Annual%20OE%20AHIP%20Note%20-%20Dec%202024.docx</p>
Connecticut	YES, only for the disabled for under 65		NO		
Delaware	YES		Delaware enacted legislation in 2025, ensuring that a person with Medigap can switch to another policy that offers the same or lesser benefits, on a guaranteed-issue basis. The window starts 30 days before the insured's birthday and continues for "at least" 30 days	Jan 1, 2026	<p>Link to the legislation:</p> <p>https://legis.delaware.gov/BillDetail?legislationId=141935</p>

			after their birthday.		
District of Columbia	NO		NO		https://code.dccouncil.gov/us/dc/council/code/titles/31/chapters/37 https://www.dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=26-A22
Florida	YES	10/1/2009	NO		
Georgia	YES		NO		
Hawaii	YES	In effect for at least 2 decades	NO		There is no legislation under consideration for the "Birthday Rule"
Idaho	YES	March 29, 2017	63 days from your birthday to change to another Medigap plan with the same level or a lower level of benefits. You can also change insurance carriers.	March 1, 2022	https://doi.idaho.gov/shiba/new-to-medicare/medicare-supplement-medigap/recent-changes-to-medicare-supplement-law-and-rules/
Illinois	YES		45 days from your birthday to change to another Medigap plan with the same level or a lower level of benefits. This only applies to plans with your	Jan 1, 2022	

			current insurance carrier pr an affiliate of your current insurer (the addition of affiliate insurers was due to legislation that Illinois enacted in 2024). To qualify for this birthday rule, you must be 65 to 75 years old.		
Indiana	YES		Legislation enacted in Indiana in April 2025 creates a birthday rule enrollment window, starting in Jan. 2026, that will allow Medigap enrollees to switch to any other insurer's version of the policy they already have.	Jan 1, 2026	
Iowa	YES- limited options		NO		Iowa's legislature proposed a "birthday rule" bill for several years but it was not passed. The legislature did not propose the bill this session (2026-2027).
Kansas	YES	04/29/1999	NO	N/A	https://www.ksrevisor.gov/statutes/chapters/ch40/040_022_0021.html

					https://insurance.ks.gov/documents/department/regulations-adopted/article-4/40-4-35.pdf
Kentucky	YES		Legislation enacted in 2023 allows a Medigap enrollee to switch to another insurer's Medigap policy (a Plan for Plan change with a different company) within 60 days of their birthday.	Jan 1, 2024	
Louisiana	YES		63 days from the date of your birthday to select a different Medigap plan with equal or lesser benefits. This only applies to plans with your current insurance carrier (or affiliates of your current insurer, under legislation that was enacted in 2023).		

Maine	YES		Maine has a generous standard for allowing consumers to switch plans of equal or lesser benefits: it can be done at any time if the person has had continuous coverage under a policy supplementing Medicare with no gap greater than 90 days since their open enrollment into Part B of Medicare.		
Maryland	YES		30 days from your birthday to switch to another Medigap plan with equal or lesser benefits than your current Medigap plan.	July 1, 2023	

Massachusetts	YES (excluding those w/ ESRD)		Under Massachusetts' Medigap waiver, we have continuous open enrollment and community rating for all Medicare eligibles (except those under 65s who qualify only because of ESRD) in our market. While the law requires an annual open enrollment to take place in February/March, all the carriers have elected to have continuous year-round open enrollment.		
Michigan	YES	1992	NO		
Minnesota	YES		There currently is legislation to implement an annual open enrollment (like Medicare Advantage) beginning in fall 2026.		
Mississippi	YES, if you are under 65 and disabled,		NO		Mississippi does not have a state-specific Medigap "birthday rule" that allows for guaranteed, no-underwriting Medicare supplement

	Mississippi provides a 6-month guaranteed issue window to get a policy				changes. Residents must generally undergo medical underwriting to change Medigap plans, unless they have a guaranteed issue right.
Missouri	YES (only for disabled individuals)	June, 1999	Yes, regulation 20 CSR 400-3.650 (13)(B)8 and (13)(E)5	June, 1999	
Montana	YES		NO		
Nebraska	YES		NO		Analysis: https://staspoprodcus01.blob.core.windows.net/government-affairs/Medigap%20-%20NE%20Rating%20Issues%20-%20Nov%202024.pptx
Nevada	YES	Oct 1, 2025	60 days from the first day of your birth month to change to another Medigap plan with the same level or a lower level of benefits. You can also change insurance carriers.	Jan 1, 2022	SB 292(<65) 2025 Legislative Session: SB292 Text AB 250("Birthday Rule") 2021 Legislative Session: AB250 Text
New Hampshire, Roni Karnis, (603) 271-4002, roni.m.karnis@ins.nh.gov	YES		NO. Has been brought up in the legislature as recently as 2025, but nothing was passed.		NH clarified the required premium to be charged Medicare eligible disabled members upon turning 65. 415-F:9 Premiums. – Upon a Medicare eligible disabled member attaining the age of 65, no issuer shall continue to charge that member the under age 65 premium. (eff. Jan. 1, 2022)

New Jersey	YES		NO		NJ has an under 65 “rule”, where every Company must offer, at a minimum, under 65 rates for Plan D for the disabled. The under 65 rate must be equal to or less than the age 65 rate so that it remains affordable despite higher-than-usual claims.
New Mexico	No requirement to cover people under 65	N/A	For at least 60 days beginning on the policyholder’s birthday month, the policyholder may switch to a plan of equal or less value. They may also change carriers.	January 1, 2027	
New York	YES	1996	NO – NY has continuous open enrollment throughout the year and community rating.	1996	
North Carolina	YES	11/1/1998	NO		
North Dakota	NO		NO		
Ohio	No companies currently selling to under 65 population		NO		
Oklahoma	YES		60 days from the date of your birthday to select a different Medigap plan with equal or lesser benefits, as		

			<p>long as you haven't had a coverage gap. Oklahoma's birthday rule is considered the minimum acceptable compliance with the state's requirement that Medigap enrollees be allowed to switch to a plan with equal or lesser benefits as long as they haven't had a gap in coverage of more than 90 days.</p>		
Oregon	YES		<p>Beginning 30 days prior to a person's birthday and for 30 days after a person's birthday, a person enrolled in a Medicare supplement policy may change to another Medigap plan with the same level or a lower level of benefits. They can also change</p>	<p>Jan 1, 2013 Amended Jan 1, 2023</p>	

			insurance carriers.		
Pennsylvania	YES	1994	NO		Pennsylvania removed the model regulation language “by reason of age” from our open enrollment section, so that those enrolling in Medicare who became eligible by reason of age or disability/ESRD would have open enrollment rights, without underwriting or substandard rating.
Rhode Island	YES		Medigap enrollees in Rhode Island who have been covered by a Medigap or Medicare Advantage plan (with no gap longer than 90 days) beginning from their Medicare Supplement Open Enrollment Period and the duration of the Medicare Annual Enrollment Period (AEP) for coverage with an effective date of January 1 to switch to any available Medicare supplement plan without medical underwriting.	2025	

South Carolina	YES		NO		
South Dakota	YES		NO		HB 1108 was introduced in 2024 and pulled by the prime sponsor (an insurance agent) as the parties agreed to a summer meeting on the topic. After the summer meeting, it was generally determined it was not needed and may cause unintended harm.
Tennessee	YES		NO		
Texas	YES	Additional protections for ALS and ESRD added June 1, 2025 (HB 2516)	NO		
Utah	NO		Legislation enacted in Utah in 2025 gives enrollees a 60-day annual window to switch to a plan of equal or lesser benefits without medical underwriting, but only if the plan is offered by the enrollee's current insurer. So, this does not give enrollees guaranteed issue access to policies offered by a different		

			insurance company.		
Vermont	YES	1/1/1998	NO	N/A	VT studied birthday rule and did not implement due to concerns about rates
Virginia	YES	July 1, 2020; amended as of January 1, 2024, to add rate protections	“Legislation enacted in 2025 creates a birthday rule enrollment window that allows Medigap enrollees to switch to any insurer’s version of the policy they already have (so for example, if they have plan G, they could switch to Plan G offered by the same or a different insurer), without medical underwriting.	July 1, 2025	<p><65: § 38.2-3610. Medicare supplement policies for persons eligible by reason of disability</p> <p>Annual open enrollment period: § 38.2-3611. Annual open enrollment period</p>
Washington	NO		NO		<p>If you're already enrolled in a Medigap plan B through N, you can switch at any time to another Medigap plan B through N. If you have a Medigap plan A, you can switch to any other Medigap plan A. In either of these situations, you do not have to take a written health screening questionnaire.</p> <p>However, if you're switching from some other type of health insurance plan to a Medigap plan, rules can vary and insurers may require you pass a written health screening questionnaire.</p> <p>https://www.insurance.wa.gov/insurance-resources/medicare/health-and-drug-plans/medigap-medicare-supplement-plan-coverage-and-costs</p>

West Virginia	NO		60 days starting with the first of the birthday month. Available every two years with continuous coverage. Must stay within same company or affiliate unless the lesser plan is not offered. If not offered, there is an open right to any company.	June 11, 2026	
Wisconsin	YES		NO		Wisconsin is a waived state
Wyoming	NO		Medigap enrollees can switch to any available Medigap plan that offers the same or lesser benefits, without under-writing. The window begins on the insured's birthday and continues for 63 days.		