

Language from the permitted exclusion section 7D:

- D. A policy shall not limit or exclude coverage by type of illness, accident, treatment or medical condition, except for the following permitted exclusions:

Drafting Note: States should review the provisions of this subsection carefully to determine if any of the exceptions to limiting or excluding coverage by type of illness, accident, treatment or medical condition included in the subsection should apply to short-term, limited-duration health insurance coverage.

- (1) Preexisting conditions or diseases, except for congenital anomalies of a covered dependent child;
- (2) Mental or emotional disorders, alcoholism and drug addiction;

Drafting Note: This provision is optional. States should review the desirability of permitting such exclusions, **particularly those exclusions related to mental health and substance use, included in subsections D(2) and D(4) of this section, in short-term limited duration and disability policies.**

Short-Term, Limited Duration Coverage Language from Section 8H.

- H. Short-Term, Limited-Duration Health Insurance Coverage

- (1) “Short-term, limited-duration health insurance” means health insurance coverage offered or provided to residents of the state pursuant to a contract with a health carrier, regardless of the situs of the contract, that has an expiration date specified in the contract that is less than [X] [days or months] after the original effective date and, taking into account any extensions that may be elected by the policyholder with or without the carrier’s consent, has a duration no longer than [X] [days or months] after the original effective date of the contract.
- (2) (a) Short-term, limited-duration health insurance must comply with the benefit and coverage requirements of this state, including, if the state requires, providing benefits and coverage of state-mandated benefits and being subject to the state’s external and internal review requirements.

Drafting Note: States should consider whether mental health and substance use disorder benefits, as described in Sections 7, D(2) and D(4), should be permitted exclusions to short-term limited duration policies.