

Michelle's Law Continues Health Insurance for Students with Illnesses



Michelle Morse was a full-time college student when she was stricken with cancer. Because Michelle faced potentially debilitating treatments, her doctors recommended that she cut back on her college course load. However, doing so would have caused her to lose her health insurance coverage under her family's plan, since she would no longer qualify as a dependent full-time college student. Michelle decided to remain a full-time student while undergoing cancer treatments.

While the disease ultimately took her life, the circumstances requiring her to remain in college in spite of her illness prompted legislative action. Passed in 2008, Michelle's Law provides that full-time college students covered by health insurance as dependents will not lose their dependent status during a medically necessary leave of absence from school due to a serious medical condition. The determination of "medically necessary" is made by the student's treating physician.

Under the law, the coverage must be extended for the earlier of one year from the date of the student's medically necessary leave of absence or the date the coverage otherwise would have ended based on specific policy provisions. The law applies not only to public and private two- and four-year colleges, but also to many occupational education and postsecondary vocational schools.

The law becomes effective for insured and self-insured health plans on the first day of their plan year beginning on or after October 9, 2009. For calendar year plans, this means the effective date is January 1, 2010.