



**The State of New Hampshire
Insurance Department**
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David J. Bettencourt
Commissioner

Keith E. Nyhan
Deputy Commissioner

BULLETIN
Docket #INS 25-002-AB

TO: All New Hampshire Licensed Health Carriers and Producers
FROM: Commissioner David J. Bettencourt
DATE: January 9, 2025
RE: Additional Guidance on Newborn Child Coverage

A handwritten signature in blue ink, appearing to read "D.J. Bettencourt".

I. Introduction

New Hampshire law, RSA 415:22, I, requires all major medical health insurance policies in the individual and group markets provide health benefits coverage for a newly born child of the covered person for the first 31 days.

In 2017, the Department issued bulletin INS-17-001-AB, providing guidance regarding when additional premium may be collected for a newborn child and prohibiting additional cost sharing.

The purpose of this bulletin is to provide guidance regarding the application of coordination of benefits during the initial 31-days.

II. Legal Authority

Coordination of Benefits and Cost-sharing during Initial 31-day period

RSA 415:22 requires benefits for the newly born child of the insured or subscriber or the dependent child of the insured or subscriber from the moment of birth. As noted in INS-17-001-AB, "coverage for the newborn will be coverage under the insured" during the first 31-days. That guidance applies even if the newborn child is enrolled for coverage as a permanent dependent on day 32. During the first 31-days, the newly born child does not have coverage independent of the parent. Therefore, if multiple plans apply, then coordination of benefits may not be based on the dependent status of the newly born child. The policy which the birth mother is the subscriber or enrolled as a dependent will be primary during this period.

The carrier shall not apply duplicate cost-sharing for the newly born child and the birth mother for the episode of care relating to the birth of the child. Any cost-sharing for subsequent episodes of care for the newly born child shall be applied to the parent's individual cost-sharing amounts and limits.

Coordination of Benefits and Cost-sharing after 31-day period

After the 31-day period, the newly born child must be added as a permanent dependent to have coverage. Carriers shall then apply COB rules between all plans for which the newborn is enrolled. The newborn may also be treated as a distinct dependent for the purposes of calculating the newborn's deductible and out-of-pocket limits.

Contact Information

For questions or concerns regarding insurance coverage, please reach out to the New Hampshire Insurance Department's Consumer Services unit by e-mail at consumerservices@ins.nh.gov or by telephone at 603-271-2261.