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Senator Clinton Hails Passage of "Michelle's Law" to Ensure College Students Have Access to Health Coverage During Medical Leave

Legislation Now Headed to the President's Desk to Be Signed into Law

WASHINGTON, DC – Senator Hillary Rodham Clinton today hailed Congressional passage of a bill she introduced to ensure that college students who receive health insurance as dependents under a parent’s health plan may take up to twelve months of necessary medical leave from college with continued health insurance coverage. New Hampshire adopted a similar law at the state level, known as “Michelle’s Law,” in 2006 after Michelle Morse, a 20-year-old college student was forced to remain a full-time student under threat of losing her health insurance despite being treated for advanced colon cancer. New York enacted similar legislation in 1999. Senator Clinton introduced the bill last year with Senators John Sununu (R-NH) and Judd Gregg (R-NH).

“Today’s victory is a great tribute to Michelle Morse’s courageous story and will make a real difference in the lives of students battling serious illness and injury. No one should have to endure what Michelle experienced, and this legislation will help protect students from losing their health insurance if they take leave for serious health reasons. I urge the President to sign this bill into law. This is an important step forward and serves as a reminder of the critical work we must undertake next year to ensure that every American has quality, affordable healthcare,” said Senator Clinton.

The Sununu-Clinton-Gregg bill covers plans regulated at the federal level by the Employee Retirement Income Security Act of 1974 (ERISA), group coverage plans regulated through the Public Health Service Act and individual coverage plans regulated through the Internal Revenue Code. The following specific provisions are included in the legislation:

- Maintains 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 plan that covers dependent care would have to abide by a student’s approved leave of absence;
- Ensures that students on necessary medical leave receive the same benefits they would have been offered were they still enrolled full-time.

Michelle Morse was a full-time student at Plymouth State University when she was diagnosed with colon cancer in late 2003. After Michelle’s doctors recommended that she reduce her course load to accommodate chemotherapy treatments, the Morse family discovered that doing so would cause Michelle to lose her health insurance or require her to make COBRA payments of about \$550 per month (not including co-payments) in addition to family coverage – more than the family could afford. To keep her health insurance, Michelle remained a full-time student. She passed away on November 10, 2005.

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