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4 Councilmember Anita Bonds



Councilmember Janeese Lewis George

10 A BILL

12
13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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17 To amend, on an emergency basis, the Universal Paid Leave Amendment Act of 2016 to
18 prohibit private disability insurance providers from reducing short-term disability
19 benefits based on actual or estimated paid leave benefits an eligible individual may
20 be entitled to from the District, regardless of the jurisdiction in which the insurance
21 policy was issued or written; and to amend Title I of the Insurance Trade and
22 Economic Development Amendment Act of 2000 to make offsetting or reducing
23 benefits under a private market short-term disability insurance policy, based on
24 estimated or actual benefits received under the Universal Paid Leave Amendment
25 Act of 2016, enforceable under that law, regardless of the jurisdiction in which the
26 insurance policy was issued or written.

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28 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
29 act may be cited as the “Short-Term Disability Insurance Benefit Protection Clarification
30 Emergency Amendment Act of 2023”.

31 Sec. 2. Section 107(j)(1) of the Universal Paid Leave Amendment Act of 2016, effective
32 April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.07(j)(1)), is amended to read as
33 follows:

34 “(1) No insurer may offset or reduce benefits or income available to an eligible
35 individual under an individual or group policy for temporary or short-term disability insurance
36 based on estimated or actual benefits the eligible individual may or does receive under this act,
37 regardless of the jurisdiction in which such policy was issued, executed, written, or delivered.”.

38 Sec. 3. Section 120a the Insurance Trade and Economic Development Amendment Act of
39 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.20a), is amended
40 as follows:

41 (a) Subsection (a) is amended to read as follows:

42 “(a) No insurer may offset or reduce benefits or income available to an eligible individual
43 under a temporary or short-term disability insurance policy, based on estimated or actual benefits
44 the eligible individual may or does receive under the subchapter IV of Chapter 5 of Title 32
45 regardless of in which jurisdiction such policy was executed, written, or delivered.”.

46 (b) Subsection (c) is amended to read as follows:

47 “(c) For the purposes of this section, the term:

48 “(1) “Eligible individual” shall have the same meaning as provided in section
49 101(6) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law
50 21-264; D.C. Official Code § 32-541.01(6)).

51 “(2) “Self-insured employer” shall have the same meaning as provided in section
52 101(19A) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C.
53 Law 21-264; D.C. Official Code § 32-541.01(19A)).”.

54 Sec. 4. Fiscal impact statement.

55 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
56 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
57 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

58 Sec. 5. Effective date.

59 This act shall take effect following approval by the Mayor (or in the event of veto by the
60 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

61 90 days, as provided for emergency acts of the Council of the District of Columbia in section
62 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
63 D.C. Official Code § 1-204.12(a)).