

**COORDINATION OF BENEFITS PROVISIONS**

The date following each state indicates the last time information for the state was reviewed/changed.

| STATE        | CITATION                               | ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES?                       | PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?   |
|--------------|--|---|--|
| AL<br>(3/24) | AAC §§ 482-1-128-.01 to 482-1-128-.11  | No  | Allows coordination with group policies as well as “no-fault” and traditional fault auto policies.   |
| AK<br>(3/24) | §§ 28.22.131; 21.42.205; Bulletin 99-2 | Department intent that writers of health insurance adhere to NAIC model guidelines. | Proration with other insurance allowed in auto law.  |
| AZ<br>(3/24) | A.A.C. R20-6-214                       | No  | May coordinate with group policies that are not available to the general public and that can be obtained and maintained only because of the insured’s membership or connection to an organization. |
| AR<br>(3/24) | Admin. Code 054.00.21-1 to 054.00.21-7 | No  | Allows medical benefits coverage in automobile “no-fault” and traditional automobile “fault” type contracts.   |
| CA<br>(3/24) | 10 CCR § 2232.55                       | No  | May not coordinate with medical benefits included in customary auto contracts.   |
| CO<br>(3/24) | 3 CCR 702-4:4-6-2; § 10-4-641          | No  | Shall coordinate with group and individual no-fault and traditional automobile fault contracts.  |
| CT<br>(3/24) | § 38a-480-3                            | No  | May coordinate with group and individual no-fault and traditional fault policies.  |
| DE<br>(3/24) | 18 Del. Admin. Code 1307               | No  | May coordinate with group and individual no-fault and traditional fault policies.  |
| DC<br>(3/24) | No provision                           |   |  |
| FL<br>(3/24) | § 627.4235; Informational Memo 02-066M | Group policies must coordinate benefits with other group policies.                  | Auto medical benefits primary.   |
| GA<br>(3/24) | R. & Regs. 120-2-48-.03                | No  | May coordinate with group and individual “no-fault” and traditional fault policies.  |

## COORDINATION OF BENEFITS PROVISIONS

| STATE        | CITATION  | ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES?   | PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?   |
|--------------|---|---|--|
| HI<br>(3/24) | § 432D-24   | No  | No provision   |
| ID<br>(3/24) | IDAPA 18.04.14.000 to 18.04.14.025                      | Not addressed (incorporates the NAIC Coordination of Benefits Model Act by reference).  | Allow medical benefits coverage in automobile “no-fault” and traditional automobile “fault” type contracts. No plan is required to coordinate benefits provided that it pays benefits as a primary plan.                         |
| IL<br>(3/24) | 50 Ill. Adm. Code 2009.20; 4521.110                     | HMOs are permitted, but not required to adopt coordination of benefits provisions.  | Allow medical benefits coverage in individual or group automobile contracts, in group or individual automobile “no-fault” contracts, and in traditional automobile “fault” type contracts, to the extent they are primary plans. |
| IN<br>(3/24) | 760 IAC 1-38.1-1 to 1-38.1-22                           | No  | May coordinate with medical benefits coverage in traditional automobile “fault” and “no-fault” policies.   |
| IA<br>(3/24) | IAC 191-38.12 to 191-38.18                              | Group and nongroup  | Shall include the medical benefits coverage in automobile “no-fault” and traditional automobile “fault” contracts.   |
| KS<br>(3/24) | K.A.R. 40-4-34  | Not addressed (adopts by reference, the Kansas Insurance Department’s “policy and procedure relating to coordination of benefits”). | No provision   |
| KY<br>(3/24) | 806 KAR 18:030  | Yes   | No coordination with auto medical benefits coverage in traditional automobile “fault” and “no-fault” policies.   |
| LA<br>(3/24) | LSA-R.S. 22:994; 22:1072; Directive 23; LAC 37:XIII.303 | Individual health insurance is secondary to any group coverage in effect.   | Shall coordinate with medical benefits coverage in automobile “no-fault” and traditional “fault” contracts.  |
| ME<br>(3/24) | 24-A M.R.S.A. § 2723-A; 02-031 CMR Ch. 790, § 4         | No  | Allow coordination with medical payments coverage in automobile insurance policies.  |

**COORDINATION OF BENEFITS PROVISIONS**

| <b>STATE</b> | <b>CITATION</b>  | <b>ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES?</b>                               | <b>PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?</b>   |
|--------------|--|--|---|
| MD<br>(3/24) | Ins. §§ 15-104; 15-1204; 19-507  | Yes  | Allow coordination of “no-fault” and “fault”; insured has right to elect whether to include this provision in plan; may not contain a provision that requires personal injury protection benefits under a motor vehicle liability insurance policy to be paid before benefits under the policies. |
| MA<br>(3/24) | 211 CMR 38.01 to 38.10   | No   | Shall coordinate with medical benefit coverage in automobile “no-fault” and traditional automobile “fault” contracts to extent permitted by law.  |
| MI<br>(3/24) | § 550.252  | No   | No provision  |
| MN<br>(3/24) | § 62A.046; Rules, 2742.0100 to 2742.0500                               | Yes  | May coordinate with group and individual automobile traditional “fault” and “no-fault” type contracts.  |
| MS<br>(3/24) | 19 Miss. Admin. Code Pt. 3, R. 7.01                                    | Yes  | May coordinate with automobile medical pay plans.   |
| MO<br>(3/24) | 20 CSR 400-2.030   | No   | Allow coordination with automobile “no-fault”. Only group may be included for traditional “fault” auto contracts.   |
| MT<br>(3/24) | Mont.Admin.R. 6.6.2401 to 6.6.2411                                     | Not addressed (adopts the Coordination of Benefits Model Regulations, as promulgated by the NAIC.) | May coordinate with first party medical payment coverage in automobile insurance.   |
| NE<br>(3/24) | 210 NE ADC Ch. 39, §§ 001 to 009                                       | Group and nongroup   | Allow for medical benefits coverage in automobile “no-fault” and traditional automobile “fault” type contracts.   |
| NV<br>(3/24) | NEV. ADMIN. Code § 689B.195  | No   | May not coordinate with “no-fault” automobile insurance or automobile medical insurance.  |
| NH<br>(3/24) | R. Ins. 1904.01 to 1904.10 Bulletin 2003-051-AB (3/9/2004); 12-20-2005 | Group and nongroup   | Allow for medical benefits coverage in automobile “no-fault” or “personal injury protection” type contracts.  |

**COORDINATION OF BENEFITS PROVISIONS**

| <b>STATE</b> | <b>CITATION</b>   | <b>ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES?</b> | <b>PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?</b>                                   |
|--------------|---|--|---|
| NJ<br>(3/24) | N.J.A.C. 11:3-14.5; 11:4-28.2                                 | No   | Auto insurer may provide option that auto medical coverage is always secondary.   |
| NM<br>(3/24) | Admin Code 13.10.13.11  | Yes  | No provision  |
| NY<br>(3/24) | 11 NYCRR 52.23  | No   | Allow coordination with group and individual mandatory automobile “no-fault” and traditional mandatory automobile “fault” type contracts. |
| NC<br>(3/24) | 11 NCAC 12.0514   | No   | May not coordinate with auto coverage.  |
| ND<br>(3/24) | §§ 26.1-36-10; 26.1-41-13;<br>NDAC 45-08-02-01                | Yes  | Allow coordination with group and individual automobile traditional “fault” and “no-fault” policies up to first \$10,000.                 |
| OH<br>(3/24) | OAC 3901-8-01; § 3902.11                                      | Yes; plan that does not coordinate benefits is always primary plan.  | Allow coordination with medical benefits coverage under automobile “no-fault” and traditional “fault” type contract.                      |
| OK<br>(3/24) | Okla. Admin. Code<br>365:10-11-1 to 365:10-11-11              | No   | Allow for medical benefits coverage in automobile “no-fault” and traditional automobile “fault” type contracts.                           |
| OR<br>(3/24) | OAR 836-020-0770 to<br>836-020-0806                           | Yes  | No provision  |
| PA<br>(3/24) | 40 P.S. § 981-6;<br>75 Pa.C.S.A. § 1719;<br>Department Policy | Yes  | Auto medical coverage primary.  |
| PR<br>(3/24) | No provisions   |  |   |
| RI<br>(3/24) | 230-RICR-20-30-2.1 to<br>230-RICR-20-30-2.10                  | No   | Allow coordination with medical benefits coverage in automobile traditional “fault” and “no-fault” type contracts.                        |

### COORDINATION OF BENEFITS PROVISIONS

| STATE        | CITATION                                       | ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES?                                     | PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?   |
|--------------|--|---|--|
| SC<br>(3/24) | Reg. 69-43                                     | No  | Allow coordination with group and individual traditional automobile “fault” and “no-fault” type contracts.   |
| SD<br>(3/24) | ARSD 20:06:50, App. A;<br>SDCL § 58-18A-58     | Group and non-group   | Allow group or individual automobile contracts. Allow coordination with medical benefits coverage in automobile “no-fault” and traditional automobile “fault” contracts. |
| TN<br>(3/24) | R. & Regs. 0780-01-53-.01 to<br>0780-01-53-.05 | No (incorporates NAIC model regulation).  | Allow coordination with medical benefits coverage in group-type and individual automobile traditional “fault” and “no-fault” policies.                                   |
| TX<br>(3/24) | 28 TAC 3.3501 to 3.3510                        | Yes, for plans that are delivered, issued for delivery, or renewed on or after September 2, 2014. | Allow coordination with medical benefits coverage in automobile policies.  |
| UT<br>(3/24) | UAC R590-131-1 to<br>R590-131-10               | Yes   | No provision   |
| VT<br>(3/24) | No provision                                   |   |  |
| VI<br>(3/24) | No provision                                   |   |  |
| VA<br>(3/24) | §§ 38.2-3405; 38.2-3407.13:1                   | Coordination allowed; must notify insured if intend to coordinate benefits.                       | No provision   |
| WA<br>(3/24) | WAC 284-51-195 to<br>284-51-260                | Yes   | May not coordinate with automobile insurance policies required by statute to provide medical benefits.   |
| WV<br>(3/24) | §§ 114-28-1 to 114-28-7                        | Group and nongroup  | Allow coordination with medical benefits coverage in automobile “no-fault” and traditional “fault” type contracts.   |

### COORDINATION OF BENEFITS PROVISIONS

| STATE        | CITATION                     | ALLOWS COORDINATION OF GROUP HEALTH WITH INDIVIDUAL POLICIES? | PROVISION FOR COORDINATION BETWEEN MEDICAL PORTION OF AUTO INSURANCE AND GROUP HEALTH INSURANCE?          |
|--------------|------------------------------|---|---|
| WI<br>(3/24) | WIS. ADMIN. CODE INS. § 3.40 | No  | Allow coordination with individual and group automobile “no-fault”, only group traditional “fault” plans. |
| WY<br>(3/24) | WY ADC 044.0002.10 § 2       | No  | No provision  |

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.