

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

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

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
AL (3/25)	§ 27-21A-12 AL ADC 482-1-082; 482-1-083	No	Yes	\$300,000	Nonprofit, unincorporated entity. All authorized HMOs shall participate in the guaranty association that protects all enrollees in the state. Association is separate from and modeled after the Alabama Life & Disability Guaranty Association. Provides for the implementation of the HMO Guaranty Association. Guaranty Association will assume duty to pay benefits for 45 days for group contracts and 90 days for individual contracts. Guaranty Association also required to make substitute coverage available. May assess members up to \$2,000 yearly for purpose of meeting administrative expenses and proportionately to meet expenses of insolvency.
AK (3/25)	§§ 21.79.025; 21.79.900	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Disability Guaranty Association.
AZ (3/25)	§§ 20-681; 20-682	Yes	No	\$500,000	Health care services organizations are included as member insurers of the Life and Disability Insurance Guaranty Fund.
AR (3/25)	§§ 23-96-104; 23-96-114	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Insurance Guaranty Association.
CA (3/25)	Ins. § 1067.04; Bulletin 2016-5	No	No		Policies issued by a health care service plan are not covered by the Life and Health Guaranty Association.
CO (3/25)	§§ 10-20-103; 10-20-104	Yes	No	\$500,000 health insurance benefits	HMOs are included as member insurers of the Life and Health Guaranty Association.
CT (3/25)	§§ 38a-860; 38a-862	Yes	No	\$500,000 health insurance benefits	Healthcare centers authorized to issue any kind of insurance in CT or conduct any healthcare business became member insurers.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
DE (3/25)	18 Del.C. § 4405	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
DC (3/25)	§§ 31-5401; 35-5402	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Fund.
FL (3/25)	§§ 631.811 to 631.828	No	Yes	\$300,000	Nonprofit legal entity known as Florida HMO Consumer Assistance Plan. All HMOs shall be and must remain members of the plan as a condition to transact business. Plan shall assume responsibility to provide coverage upon insolvency of HMO until replacement coverage is obtained with another HMO or other entity providing health care services or reimbursement. Plan may select HMO to involuntarily provide services. Each plan pays \$25,000 assessment when receiving a certificate of authority. Assessment may be levied against all members if additional funds needed.
	§§ 631.713 to 631.714; 631.717	Yes	No	\$300,000	Life and Health Insurance Guaranty of Payments applies to HMOs only for assessments levied pursuant to §§ 631.715(2)(a)1, 631.718(3)(b), and 631.819(2)(c) for long-term care insurer impairments or insolvencies.
GA (3/25)	§§ 33-38-1 to 33-38-22	Yes	No	\$300,000 health insurance; \$500,000 health benefit plans	HMOs are included as member insurers of the Life and Health Guaranty Association. Members are subject to assessment.
HI (3/25)	§ 431:16-205	No	No		HMOs are not member insurers of the Life and Disability Insurance Guaranty Fund.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

TATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
ID (3/25)	§§ 41-4301 to 41-4319; 41-3931	Yes	No	\$300,000; \$500,000 aggregate for major medical	Does not apply to certain employer provided health plans. Member insurers, including managed care plans, must maintain membership as a condition to transact business in the state.
IL (3/25)	215 ILCS 5/531.01 to 5/531.20	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
IN (3/25)	§§ 27-8-8-2; 27-8-8-2.3	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
IA (3/25)	§§ 508C.1 to 508C.19	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
KS (3/25)	§§ 40-3005; 40-3008 AG Opinion 75-428	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Fund.
KY (3/25)	§§ 304.42-010 to 304.42-190	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
LA (3/25)	§§ 22:2083; 22:2084	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
ME (3/25)	24-A M.R.S.A. §§ 4603; 4605-A	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
MD (3/25)	Ins., §§ 9-401; 9-407	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
MA (3/25)	M.G.L.A. 175 § 146B	No	No		HMOs are not member insurers of the Life and Health Guaranty Association.
MI (3/25)	§ 500.7705	No	No		HMOs are not member insurers of the Life and Health Guaranty Association.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
MN (3/25)	§§ 61B.19; 61B.20	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
MS (3/25)	§§ 83-23-205; 83-23-209	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
MO (3/25)	§§ 376.715 to 376.758; 20 CSR 400-5.600	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
MT (3/25)	§§ 33-10-202; 33-10- 224	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
NE (3/25)	§§ 44-2702; 44-2703	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
NV (3/25)	§§ 686C.100; 686C.210	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
NH (3/25)	§§ 404-D:3; 408-B:4	No	No		HMOs are not member insurers of the Life and Health Guaranty Association.
NJ (3/25)	§§ 17B:32A-4; 17B:32B-1 to 17B:32B:17; N.J.A.C. 11:4-1.1 to 11:4-1.10	No	Yes	Funding mechanism pays contractual obligations of insolvent HMOs; however, providers must agree to forgive 1/3 of the obligations.	Assess HMOs for 3 years to accumulate fund. Aggregate assessment of no more than \$50 million. HMOs may take tax credit for assessment. An additional \$50 million is deposited in the fund from general revenues.
NM (3/25)	§§ 59A-42-3; 59A-42-4	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
NY (3/25)	Ins. Law §§ 7701 to 7718	Yes	No	\$500,000 for all benefits	A not-for-profit corporation of insurers created to guarantee payment of benefits and continuation of coverages, if an insurer fails to perform. HMOs are included as member insurers of Life and Health Insurance Company Guaranty Corporation of New York.
NC (3/25)	§§ 58-62-16; 58-62-21	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
ND (3/25)	§§ 26.1-38.1-01; 26.1-38.1-02	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
OH (3/25)	§ 3956.01	Yes	No	\$500,000	Health insurance corporations are included as member insurers of the Life and Health Guaranty Fund.
OK (3/25)	36 Okl.St. Ann. §§ 2024; 2025	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
OR (3/25)	§§ 734.760; 734.790	No	No		The Insurance Guaranty Association requirements do not apply to health care service contractors. HMOs are not member insurers of the Life and Health Insurance Guaranty Association.
PA (3/25)	40 P.S. §§ 991.1702; 991.1703	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
PR (3/25)	26 L.P.R.A. § 3905	No	No		Health services organizations are not member insurers of the Life and Disability Insurance Guaranty Association of Puerto Rico.
RI (3/25)	§ 27-34.3-5	No	No		HMO is not a member insurer of the Life and Health Guaranty Association.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
SC (3/25)	§§ 38-29-10 to 38-29-200	Yes	No	\$500,000	The South Carolina Life and Accident and Health Insurance Guaranty Association is a non-profit legal entity designed to guaranty the payment of benefits. HMOs are included as member insurers.
SD (3/25)	§ 58-29C-48	No	No		HMOs are not member insurers of the Life and Health Guaranty Association.
TN (3/25)	§§ 56-12-203; 56-12-204	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Guaranty Association.
TX (3/25)	Ins. §§ 463.003; 463.151; 463.052; 463.204	Yes	No	\$500,000	HMOs are included as member insurers of the Life, Accident, Health and Hospital Service Insurance Guaranty Association.
UT (3/25)	§ 31A-28-105	No	No		HMOs are not member insurers of the Life and Health Guaranty Association.
VT (3/25)	8 V.S.A. §§ 4171 to 4190	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Health Insurance Guaranty Association.
VI (3/25)	No provision				
VA (3/25)	§§ 38.2-1700 to 38.2-1715 §§ 38.2-1716 to 38.2-1721	Yes	No	\$500,000	HMOs are included as member insurers of the Virginia Life, Accident, and Sickness Insurance Guaranty Association. The Association shall maintain a separate asset account to be known as the safety fund for the purpose of meeting the Association's objectives.
WA (3/25)	§ 48.32A.045	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Disability Guaranty Fund.

HEALTH MAINTENANCE ORGANIZATION COVERAGE BY GUARANTY ASSOCIATIONS

STATE	CITATION	COVERED UNDER L/H FUND	HMO FUND	COVERAGE LIMIT	PROVISION
WV (3/25)	§§ 33-26A-1 to 33-26A-19	Yes	No	\$500,000	HMOs are included as member insurers of the Life and Disability Guaranty Fund.
WI (3/25)	§§ 646.01 to 646.73	Yes	No	\$300,000; \$500,000 aggregate	One guaranty fund for all types of direct insurance; includes HMOs. Five segregated accounts; one specifically for HMOs.
WY (3/25)	§§ 26-42-101 to 26-42- 118	Yes	No	\$300,000 for health benefit plans; \$500,000 aggregate	HMOs are included as member insurers of the Life and Health Insurance Guaranty Association.

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.