

PROJECT HISTORY - 2007

SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY MODEL ACT (PROSPECTIVE REINSURANCE WITH OR WITHOUT AN OPT-OUT) (#118)

1. Description of the project, issues addressed, etc.

The NAIC Small Employer Health Insurance Availability Model Act (Prospective Reinsurance With or Without an Opt-Out) provides for the availability of health insurance coverage to small employers regardless of health status or claims experience. The model act also provides for the establishment of a reinsurance program. The proposed amendments revise the model act to be consistent with recently published final group portability regulations adopted pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

2. Name of group responsible for draft the model:

Regulatory Framework (B) Task Force

States Participating:

Wisconsin, Chair	Montana
Arkansas	Nebraska
California	Nevada
Colorado	New Hampshire
Delaware	Ohio
District of Columbia	Oregon
Florida	Rhode Island
Idaho	South Dakota
Kansas	Tennessee
Kentucky	Utah
Missouri	Vermont
Maine	Virginia

3. Project authorized by what charge and date first given to the group:

The following charge was given to the Regulatory Framework (B) Task Force in 1999:

Consider the revision of NAIC model laws and regulations affected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and final federal regulations promulgated pursuant to HIPAA to comport with the requirements of HIPAA and final federal regulations

4. A general description of the drafting process (e.g., drafted by a subgroup, interested parties, the full group, etc). Include any parties outside the members that participated.

The amendments to the model act were drafted by the Task Force.

5. A general description of the due process (e.g., exposure periods, public hearings, or any other means by which widespread input from industry, consumers and legislators was solicited.

Beginning with the NAIC 2005 Spring National Meeting, drafts of the proposed revisions were reviewed and discussed at each National Meeting. Comments were requested and were received and considered throughout the drafting process. In addition, all of the drafts of the proposed revisions were posted on the NAIC web site.

6. A discussion of the significant issues (items of some controversy) raised during the drafting process and the group's response.

There were no significant issues.

7. Any other important information (e.g., amending an accreditation standard).

None.