



OUTSIDE THE BELTWAY



Self-insurance, particularly self-insured employee health plans, continues to be targeted by an increasing number of states with restrictive laws, regulations or taxation schemes that trespass on ERISA protections. The threatening environment continues to test SIIA's ability to fulfill its mission to protect and promote self-insurance.

An ongoing state-by-state government relations process has taken SIIA staff and member activists to many state capitals as they advocate for beneficial measures or defend against those that could harm the self-insurance industry.



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New Jersey

SIIA continues to lead a coalition opposing small group stop-loss ban legislation, A.2213, and will be meeting with several legislators, urging them to keep the self-insurance option for small employer.

Recently, the governor's office and key legislators discussed small group reform and stop-loss insurance. How the Legislature is planning to reform the small group market remains unclear but advancing stop-loss legislation was part of the discussion. The next time that stop-loss legislation could receive a hearing or move is in the May to June timeframe. SIIA is not aware of any commitments to advance A.2213 being made at the meeting.



Louisiana

SIIA has been fighting a TPA assessment for more than two years. Recently we learned that the other funding mechanisms are being considered, including a tax on hospitals and health insurance premiums. This would be welcome news, but until the Reinsurance Program legislation is amended and SIIA will continue to fight it.

Senator Kirk Talbott introduced individual market reinsurance legislation. Senate Bill 148 would create a Louisiana Health Reinsurance Association and be funded by health insurance policy and TPA covered lives fees of \$2.50 per member per month.

TPAs with a Louisiana license should review this bill carefully, as the legislation may tie Louisiana licensure with Reinsurance Association membership. The legislation, as drafted, also gives the commissioner to audit a licensed TPA and fine it for noncompliance.



Connecticut

Legislation codifying Connecticut Bulletin HC-126, including minimum \$20K small group individual and 120 percent aggregate attachment points and small group lasering prohibition, is moving through the Connecticut legislature via House Bill 5018 and Senate Bill 328. Both bills were heard by their committees on March 2nd.

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SIIA is monitoring the progress of both bills and is working with lobbyists in Hartford. At this time, there does not appear to be any legislative interest in modifying the text of the bulletin, which is the desired outcome.

- requiring a business to have 15 employees to be eligible for a policy
- prohibiting lasering in the small group market

Nevada



SIIA has been actively engaged with the Nevada Department of Insurance (DOI) for the past three years, working to create more small employer health benefit options.

SIIA's last comments suggested clarifying that only paid claims are reimbursable, ensuring that some definitions of terminology like "lasering" and "expected claims" were consistent with industry standards and urging the department to withdraw a very small group contact ban.

At the January 23rd Advisory Committee on Health Care and Insurance, staff announced it intends to issue a new draft of this regulation. The major changes in the regulation include:

- raising the minimum individual attachment point to \$20,000
- deleting a \$4,000 per-person aggregate requirement

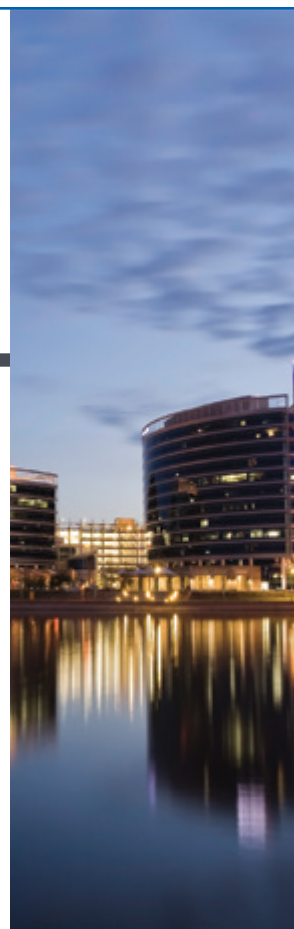


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The Self-Insurer also has advertising opportunities available. Please contact Shane Byars at sbyars@sipconline.net for advertising information.

The latest draft is available at http://doi.nv.gov/uploadedFiles/doinvgov/_public-documents/News-Notices/Regulations/R_127-18_V6.PDF.

SIIA's latest comments are available at <https://files.constantcontact.com/48f6ffcb701/ef75fab2-1260-4fdb-b4ac-2e85af620209.pdf>.

It should be noted that the current regulations are still in force until new ones are effective.

Pursuant to Nevada law, the DOI will issue a new draft regulation and have another hearing to take in-person stakeholder feedback. SIIA understands that draft will have a two-year delayed implementation date and, according to a source, to allow the DOI to study level-funded issues with the intent of not inhibiting the product. Assuming regulations are approved this year, the earliest they would be effective is for the 2023 plan year.

SIIA will continue to work with the department, submit comments and, if possible, attend the next hearing to discuss the regulations.

Should you have any or if you would like to alert SIIA of new state legislative and regulatory activity (health care, workers' compensation and/or captive insurance matters), please contact Adam Brackemyre, Vice President of State Government Relations directly at 202/595-0641, or via e-mail at abrackemyre@siia.org. ■