

# OUTSIDE THE BELTWAY



*This is an update of state legislative and regulatory developments affecting companies involved in the self-insurance/captive insurance marketplace. Should you have any questions regarding the information provided in these reports, or 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@siaa.org](mailto:abrackemyre@siaa.org).*

## STOP LOSS:



### Louisiana

In late May, the Louisiana Department of Insurance issued Rule 116, which creates new stop-loss regulations and requirements.

In general, the bulletin contains some minor form requirements and must be read carefully. For example, Section 16917 requires stop-loss insurance issued to a "self-insurance plan" to cover incurred claims if the health plan terminates. This plain language may be alarming.

However, in reviewing the definition of a "self-insurance plan: under Section 16905, it excludes "single employer plans." Therefore, SIIA believes the unpaid health plan liability provisions in 16917 appear to be limited to stop-loss issued to MEWAs.

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**State Laws, Bulletins, Executive Orders and Guidance Relating to COVID Exposure and Workers Compensation**

SIIA has compiled a chart for you to reference as many states have recently modified work comp eligibility for COVID-related treatment. The chart can be found here.



**Michigan**

On June 7th, Governor Gretchen Whitmer issued Executive Order 2020-125, establishing presumptive work comp eligibility for essential workers, defined as employees with specific job titles or working in specific locations.

Employees that have a work comp presumption should they contract COVID-19 include: law enforcement officers, fire fighters, volunteer civil defense workers and employees required to work in correctional facilities.

Employees also have a work comp presumption if they work in a hospital and other health care facilities, hospice, ambulances and nursing homes.

This executive order replaces the temporary rule issued on March 30th.

**State Department of Insurance COVID Bulletins (Accident/Health)**

SIIA has compiled a chart of state insurance department bulletins that require or request carriers, generally accident and health carriers, to allow grace periods for premium payments. A link to each bulletin is provided so that you can review the language. The chart can be found here.

If you have any questions about either chart, see missing information or would like to obtain either in an XLS format, please contact Adam Brackemyre at [abrackemyre@siia.org](mailto:abrackemyre@siia.org). ■

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