ADMINISTRATIVE RULES OF MONTANA

6.6.5079A GUARANTEED AVAILABILITY OF COVERAGE IN THE SMALL GROUP MARKET - GUARANTEED ISSUE REQUIREMENTS - EXCEPTIONS

(1) Except for coverage offered only through a bona fide association, and subject to (2) , (3) , and (4) , each small group carrier that offers health insurance coverage in the small group market must offer, to any small employer in the state, all products that are approved for sale in the small group market and that the issuer is actively marketing, and must accept any small employer that applies for any of those products.

(2) A small employer carrier is not required to issue coverage to a small group employer that does not meet the minimum participation and contribution requirements of the carrier, as permitted by 33-22-1811(3) (d) , MCA. If a carrier refuses to issue any plan to a small employer on the basis that the small employer does not meet participation or contribution requirements, the carrier may not issue any other plan to the small group employer.

(3) A small employer carrier is not required to issue coverage in circumstances set forth in 33-22-1811(4) , MCA. In the event that a small employer carrier denies coverage to a small employer under that section and is prevented from offering coverage for 180 days, the responsibilities of the small employer carrier to renew existing coverage pursuant to 33-22-524 and 33-22-1810, MCA, continue.

(4) A small employer carrier may not issue coverage to a small employer under circumstances described in 33-22-1811(3) (e) (iv) , MCA.

(5) For purposes of this rule, "product" refers to a health benefit plan, and includes all contract provisions included in the contract language for a health benefit plan issued to a small group employer.

Authorizing statute(s): Sec. 33-22-1822, MCA

Implementing statute(s): Sec. 33-22-1811, MCA

History: NEW, 1998 MAR p. 1698, Eff. 6/26/98.