6.6.5078 FAIR MARKETING STANDARDS

(1) Small employer carriers shall actively market each of their basic and standard health benefit plans to small employers in this state, and shall comply with the guaranteed availability of coverage and disclosure requirements set forth in ARM 6.6.5079A and ARM 6.6.5079B. Examples of active marketing include, but are not limited to, promotional materials for agents and consumers, marketing classes for agents, direct mail to small business, and paid media advertising. Small employer carriers may not suspend the marketing or issuance of the basic and standard health benefit plans except for good cause and with the prior approval of the commissioner. A small employer carrier suspending the marketing and issuance of any small employer plan shall notify the commissioner of such suspension by the suspension date.

(2) In marketing basic and standard health benefit plans to small employers, small employer carriers shall use at least the same sources and methods of distribution that they use to market other health benefit plans to small employers. Producers authorized by small employer carriers to market health benefit plans to small employers in the state shall also be authorized to market the basic and standard health benefit plans.

(3) Small employer carriers shall provide price quotes to small employers, either directly or through authorized producers, within 15 working days of receiving a request for a quote. Price quotes must include such information as is necessary to understand the quotes. If a small employer carrier needs additional information to provide price quotes, it must request such information from the employer within 5 working days of receiving the request for the price quotes.

(4) Small employer carriers may not apply more stringent or detailed requirements related to the application process for the basic and standard health benefit plans than are applied for other health benefit plans offered by the carrier.

(5) Small employer carriers may not require, as a condition to the offer or sale of a health benefit plan to small employers, that the small employer purchase or qualify for any other insurance product or service.

Authorizing statute(s): Sec. 33-1-313 and 33-22-1822, MCA

Implementing statute(s): 33-22-1802, 33-22-1809, 33-22-1812, and 33-22-1813, MCA

History: NEW, 1994 MAR p. 1528, Eff. 6/10/94; AMD, 1998 MAR p. 1698, Eff. 6/26/98.