



ADMINISTRATIVE RULES OF MONTANA



6.6.5079J OPPORTUNITIES FOR INDIVIDUALS TO ENROLL IN GROUP PLANS OTHER THAN SMALL EMPLOYER PLANS

- (1) Upon issuance of a group health plan all employees and their dependents who are eligible for enrollment under the criteria set by the plan, and thereafter all new eligible employees and their dependents, must be offered an opportunity to enroll in the plan. Any waiting period prior to enrollment may not exceed 12 months.
- (2) Except as provided in (3) , eligible employees who do not enroll during an initial enrollment opportunity as described in (1) , provided that the opportunity lasted at least 30 days, may be considered late enrollees. A health insurance carrier or group health plan must afford late enrollees an opportunity to enroll at least annually.
- (3) Eligible individuals who meet the requirements set forth in 33-22-140(17) (a) , (b) or (c) , MCA, which provides exceptions to late enrollee status, or who qualify for a special enrollment period under 33-22-523, MCA, are not considered late enrollees. Opportunities to enroll individuals qualifying for special enrollment must be given according to the terms of 33-22-523, MCA. Eligible individuals who meet the criteria set forth in 33-22-140(17) (a) , (b) or (c) , MCA, must be given opportunities to enroll as set forth in that section.
- (4) On or before the time an employee is offered an initial opportunity to enroll in a group health plan, the plan is required to provide the employee with a description, as set forth in ARM 6.6.5079I(3) of the plan's special enrollment rules. Additionally, the plan shall provide at the same time a description of opportunities to enroll under 33-22-140(17) (a) , (b) or (c) , MCA, and as a late enrollee.

Authorizing statute(s): Sec. 33-1-313 and 33-22-143, MCA

Implementing statute(s): Sec. 33-22-140, 33-22-523, and 33-22-526, MCA

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