

§2695. Disclosure requirements

1. Outline of coverage. Except as provided in subsections 7 and 8, an insurer shall deliver an outline of coverage to an applicant or enrollee in connection with the sale of individual health insurance, group health insurance, dental plans and vision care plans delivered or issued for delivery in this State. [PL 2001, c. 410, Pt. C, §1 (NEW).]

2. Sale through producer. If the sale of a policy described in subsection 1 occurs through a producer, the outline of coverage must be delivered to the applicant at the time of application or to the certificate holder at the time of enrollment. [PL 2001, c. 410, Pt. C, §1 (NEW).]

3. Sale through direct-response advertising. If the sale of a policy described in subsection 1 occurs through direct-response advertising, the outline of coverage must be delivered no later than in conjunction with the issuance of the policy or delivery of the certificate. [PL 2001, c. 410, Pt. C, §1 (NEW).]

4. Outline of coverage not delivered at time of application or enrollment. If the outline of coverage required in subsections 1 and 8 and in any rules adopted by the superintendent pursuant to this chapter is not delivered at the time of application or enrollment, the advertising materials delivered to the applicant or enrollee must contain all the information required in subsection 8 and in any rules adopted by the superintendent pursuant to this chapter. [PL 2001, c. 410, Pt. C, §1 (NEW).]

5. Outline of coverage delivered at time of application or enrollment. If the outline of coverage is delivered to the applicant or enrollee at the time of application or enrollment, the insurer must collect an acknowledgment of receipt or certificate of delivery of the outline of coverage and the insurer must maintain evidence of the delivery. [PL 2001, c. 410, Pt. C, §1 (NEW).]

6. Coverage issued on basis other than as applied for. If coverage is issued on a basis other than as applied for, an outline of coverage properly describing the coverage or contract actually issued must be delivered with the policy or certificate to the applicant or enrollee. [PL 2001, c. 410, Pt. C, §1 (NEW).]

7. Outline of coverage not required. An outline of coverage for group health insurance, a group dental plan or a group vision care plan is not required to be delivered to certificate holders if the certificate contains a brief description of:

A. Benefits; [PL 2001, c. 410, Pt. C, §1 (NEW).]

B. Provisions that exclude, eliminate, restrict, limit, delay or in any other manner operate to qualify payment of the benefits; [PL 2001, c. 410, Pt. C, §1 (NEW).]

C. Renewability provisions; and [PL 2001, c. 410, Pt. C, §1 (NEW).]

D. Notice requirements as provided in rules adopted pursuant to this chapter. [PL 2001, c. 410, Pt. C, §1 (NEW).]

[PL 2001, c. 410, Pt. C, §1 (NEW).]

8. Superintendent shall prescribe format and content of outline of coverage. The superintendent shall prescribe the format and content of the outline of coverage required by subsection 1. As used in this subsection, "format" means style, arrangement and overall appearance, including items such as the size, color and prominence of type and the arrangement of text and captions. The rules may exempt certain group policies from the requirement to deliver an outline of coverage to an applicant or enrollee. The outline of coverage must include:

- A. A statement identifying the applicable category or categories of coverage as prescribed in section 2694; [PL 2001, c. 410, Pt. C, §1 (NEW).]
- B. A description of the principal benefits and coverage provided; [PL 2001, c. 410, Pt. C, §1 (NEW).]
- C. A statement of exceptions, reductions and limitations; [PL 2001, c. 410, Pt. C, §1 (NEW).]
- D. A statement of renewal provisions, including any reservation by the insurer of a right to change premiums; and [PL 2001, c. 410, Pt. C, §1 (NEW).]
- E. A statement that the outline is a summary of the policy or certificate issued or applied for and that the policy or certificate should be consulted to determine governing policy provisions. [PL 2001, c. 410, Pt. C, §1 (NEW).]
[PL 2001, c. 410, Pt. C, §1 (NEW).]

9. Notice must be delivered to all applicants eligible for Medicare. An insurer shall deliver the notice required under rules applicable to Medicare supplement insurance to all applicants eligible for Medicare.
[PL 2001, c. 410, Pt. C, §1 (NEW).]

SECTION HISTORY

PL 2001, c. 410, §C1 (NEW).

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