

***Effective 5/13/2014***

***Superseded 5/12/2015***

**31A-43-301 Stop-loss insurance coverage standards.**

- (1) A small employer stop-loss insurance contract shall:
  - (a) be issued to the small employer to provide insurance to the group health benefit plan, not the employees of the small employer;
  - (b) use a standard application form developed by the commissioner by administrative rule;
  - (c) have a contract term with guaranteed rates for at least 12 months, without adjustment, unless there is a change in the benefits provided under the small employer's health plan during the contract period;
  - (d) include both a specific attachment point and an aggregate attachment point in a contract;
  - (e) align stop-loss plan benefit limitations and exclusions with a small employer's health plan benefit limitations and exclusions, including any annual or lifetime limits in the employer's health plan;
  - (f) have an annual specific attachment point that is at least \$10,000;
  - (g) have an annual aggregate attachment point that may not be less than 85% of expected claims;
  - (h) pay stop-loss claims:
    - (i) incurred during the contract period; and
    - (ii) paid within 12 months after the expiration date of the contract; and
  - (i) include provisions to cover incurred and unpaid claims if a small employer plan terminates.
- (2) A small employer stop-loss contract shall not:
  - (a) include lasering; and
  - (b) pay claims directly to an individual employee, member, or participant.