

31A-22-633 Exemptions from standards.

Notwithstanding the provisions of Title 31A, Insurance Code, any accident and health insurer or health maintenance organization may offer a choice of coverage that is less or different than is otherwise required by applicable state law if:

- (1) the Department of Health offers a choice of coverage as part of a Medicaid waiver under Title 26, Chapter 18, Medical Assistance Act, which includes:
 - (a) less or different coverage than the basic coverage;
 - (b) less or different coverage than is otherwise required in an insurance policy or health maintenance organization contract under applicable state law; or
 - (c) less or different coverage than required by Subsection 31A-22-605(4)(b); and
- (2) the choice of coverage offered by the carrier:
 - (a) is the same or similar coverage as the coverage offered by the Department of Health under Subsection (1);
 - (b) is offered to the same or similar population as the coverage offered by the Department of Health under Subsection (1); and
 - (c) contains an explanation for each insured of coverage exclusions and limitations.

Amended by Chapter 167, 2013 General Session