

**Effective 5/13/2014**

**31A-30-108 Eligibility for small employer and individual market.**

- (1)
- (a) A small employer carrier shall accept a small employer that applies for small group coverage as set forth in the Health Insurance Portability and Accountability Act, Sec. 2701(f) and 2711(a), and PPACA, Sec. 2702.
  - (b) An individual carrier shall accept an individual that applies for individual coverage as set forth in PPACA, Sec. 2702.
- (2)
- (a) A small employer carrier shall offer to accept all eligible employees and their dependents at the same level of benefits under any health benefit plan provided to a small employer.
  - (b) A small employer carrier may:
    - (i) request a small employer to submit a copy of the small employer's quarterly income tax withholdings to determine whether the employees for whom coverage is provided or requested are bona fide employees of the small employer; and
    - (ii) deny or terminate coverage if the small employer refuses to provide documentation requested under Subsection (2)(b)(i).

Amended by Chapter 290, 2014 General Session

Amended by Chapter 300, 2014 General Session

Amended by Chapter 425, 2014 General Session