

Effective 5/13/2014

31A-30-207 Rating and underwriting restrictions for health plans in the defined contribution arrangement market.

- (1) Except as provided in Subsection (2), rating and underwriting restrictions for defined contribution arrangement health benefit plans offered in the Health Insurance Exchange shall be in accordance with Section 31A-30-106.1, and the plan adopted under Chapter 42, Defined Contribution Risk Adjuster Act.
- (2) Notwithstanding Subsections 31A-30-106.1(9)(b)(ii) and (iii), a carrier offering a defined contribution arrangement in the Health Insurance Exchange under this part shall calculate rates based on a family tier rating structure that includes four tiers in compliance with Subsection 31A-30-106.1(9)(b)(i).
- (3) All insurers who participate in the defined contribution market shall:
 - (a) participate in the risk adjuster mechanism developed under Chapter 42, Defined Contribution Risk Adjuster Act for all defined contribution arrangement health benefit plans;
 - (b) provide the risk adjuster board with:
 - (i) an employer group's risk factor; and
 - (ii) carrier enrollment data; and
 - (c) submit rates to the exchange that are net of commissions.
- (4) When an employer group enters the defined contribution arrangement market and the employer group has a health plan with an insurer who is participating in the defined contribution arrangement market, the risk factor applied to the employer group when it enters the defined contribution arrangement market may not be greater than the employer group's renewal risk factor for the same group of covered employees and the same effective date, as determined by the employer group's insurer.

Amended by Chapter 290, 2014 General Session

Amended by Chapter 300, 2014 General Session