New Hampshire Accident & Health Insurance Laws/ Regulations

Series 12-79

40 Items - 1 Hour

Insurance Regulation 25%

- Licensing
  - Process (402-J:5, 6)
  - Types of Licensees
    - Producer (402-J:2, 14)
    - Producer with appointment (402-J:14)
    - Business entity (402-J:6)
    - Financial institutions (406-C:1–19)
    - Resident versus nonresident (402-J:8, 16)
    - Temporary (402-J:11)
  - Maintenance and Duration
    - Renewal (402-J:7(II–IV))
    - Change of address (402-J:7(VI))
    - Reporting of actions (402-J:17)
    - Assumed names (402-J:10)
    - Continuing education requirements (Reg 1302.03, 1302.04, 1304.03)
  - Disciplinary Actions
    - Cease and desist order (417:12)
    - Denial, suspension or revocation (402:49; 402-J:12)
    - Penalties and fines (400-A:15(III); 402:42, 48; 402-J:12(IV); 417:10, 13)
- State regulation
  - Commissioner's general duties and powers (400-A:3, 15; 417:5, 14)
    - Investigations enforcement (400-A:16)
  - Company regulation
    - Producer appointment (402-J:14)
    - Termination of appointment (402-J:15)
  - Producer regulation
    - Acting without a license (402-J:3, 13)
    - Commissions (402-J:13)
    - Conversion of funds by producer (402:53)
    - Referrals (402:16-B)
    - Controlled business (402:74)
    - Fiduciary requirements (Reg 4301.01–4301.09)
    - License to transact business (402:12)
    - Unfair claim settlement practices (417:4(XV); Reg 1001.01–.11, Reg 1002.01–.20)
  - Unfair insurance trade practices
    - Misrepresentation (402:46; 417:4(I, II))
    - Twisting (402:47; 417:4(I))
    - False information and advertising (417:4(III))
    - Defamation (417:4(IV))
    - Boycott, coercion and intimidation (417:4(V))

- Illegal inducement (417:4(VII))
- Unfair discrimination (417:4(VIII))
- Rebating (402:39–41; 417:4(IX))

Examination of books and records (400-A:37)

Insurance fraud regulation (400-A:36-b(II); 417:23; RL 638:20)

Consumer privacy regulation (Reg 3001–3006)

Federal regulation

Fair Credit Reporting Act (15 USC 1681–1681d)

Fraud and false statements (18 USC 1033, 1034)

Laws and Regulations Pertaining to Accident and Health Insurance 75%

Producer responsibilities in individual health insurance

- Advertising (Reg 2601–2604)
- Life and Health Insurance Guaranty Association (RSA 408-B:19)
- Outline of coverage (RSA 415-A:4)
- Guaranty association disclaimer (408-B:19(I–IV)
- Medical examinations and lab tests including HIV (417:4(XIX); Reg 1103.01, .02)
- Unfair discrimination (415:15)
- Replacement

Individual health insurance provisions

- Entire contract; changes (415:6(I)(1))
- Time limit on certain defenses (415:6(I)(2))
- Grace period (415:6(I)(3))
- Reinstatement (415:6(I)(4))
- Claim procedures (415:6(I)(5–9))B45:I77B45:I76B3B45:I85
- Physical examinations and autopsy (415:6(I)(10))
- Legal actions (415:6(I)(11))
- Change of beneficiary (415:6(I)(12))
- Loss of time benefits (415:6(I)(13))
- Refund upon cancellation (415:6(I)(14))
- Right to examine (free look)
- Renewability clause
- Military suspense provision (Ins 6201.04)
- Change of occupation (415:6(II)(1))
- Misstatement of age (415:6(II)(2))
- Other insurance in this insurer (415:6(II)(3))
- Insurance with other insurers
  - Expense-incurred basis (415:6(II)(4))
  - Other than expense-incurred basis (415:6(II)(5))
- Relation of earnings to insurance (415:6(II)(6))
- Unpaid premium (415:6(II)(7))
- Cancellation; refusal to renew (415:6(II)(8))
- Conformity with state statutes (415:6(II)(9))

New Hampshire requirements (individual and group)

- Eligibility requirements

    - Newborn children (415:22)
    - Adopted children (415:22-a)
    - Child enrollment; noncustodial parents (RL 161-H:2)
  - Benefit offers
    - Maternity coverage (415:6-d)
- Group health insurance
  - Part-time employees (415:18(I)(q))
  - Coordination of benefits (Reg 1904.05–.07)
  - Cancellation or nonrenewal (415:18-b)
  - Continuation of coverage under COBRA and New Hampshire specific rules (415:18(VII))
  - Conversion privilege (415:18(VII)(a–b))
- Small employer group medical plans
  - Definition of small employer (420-G:2(XVI))
  - Renewability of coverage (420-G:6)
  - Participation requirements (420-G:9)
  - Open enrollment and late enrollment (420-G:8)
  - Prohibited underwriting practices (420-G:4(I)(b), 5)
- Medicare supplement policies
  - Open enrollment (Reg 1905.10)
  - Standards for marketing (Reg 1905.19)
  - Advertising (Reg 1905.06, .18)
  - Appropriateness of recommended purchase (Reg 1905.20)
  - Guaranteed issue for eligible persons (Reg 1905.11)
  - Buyer's guide (Reg 1905.16(a)(6))
  - Outline of coverage (Reg 1902.07(c))
  - Right to return (free look) (Reg 1902.07(a)(4))
  - Replacement (Reg 1905.17, .22)
  - Required disclosure provisions (Reg 1902.07; Reg 1905.19)
  - Permitted compensation (Reg 1905.15)
  - Notice of change (Reg 1905.16(b))
  - Benefit standards (Reg 1905.07)
  - Prohibited practices (Reg 1905.22)
  - Medicare Select (Reg 1905.09)
- Long-term care (LTC) policies (3600)
  - Traditional LTC (3601)
  - LTC Partnerships (3602)
  - Outline of coverage (415-D:8)
  - Right to return (free look) (415-D:7)
  - Benefit standards (415-D:3(V), 5)
  - Continuation of coverage/conversion (415-D:6)
- New Hampshire mandated provisions