

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Alabama	no - adopted own version 27-20-(1-7)	at request of commissioner	yes; 27-14-8	no	no	
Alaska	no - adopted own version 21.54.(010-070))	yes; 21.42.120 and 21.90.900 and R13-01 (As Amended) and Bulletin B12-06	subject to state approval	yes; Include bylaws and a link to the association's website. Name association in filing description	no	
Arizona	no - adopted own version 20-(1401-1407)	no	yes - 20-1401	no	no	
Arkansas	no - adopted own version 23-86-(101-109)	23-79-109	discretionary groups allowed 23-79-109; file discretionary and association groups+D13	yes; provide information on associations to ensure complies with 23-86-106 ; information includes constitution and by-laws; membership qualifications; association activities; and a list of dues paying members residing in Arkansas with full addresses. E1	yes	
California	no - adopted own version 10270-10277	yes for medical expense coverage (10112.5) and senior market.	yes; Bulletin 80-4, out of state trusts must comply with CA law if medical expense	no	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Colorado	no - adopted own version 10-16-214	yes, 10-16-214	will not permit trusts and will not accept groups formed for insurance purposes. Associations must satisfy 10-16-214 .	file to ensure satisfies group definition; provide proof that association has been in existence for 5 years; copies of bylaws and constitution or charter, membership materials and guidelines; current membership and application for membership to ensure not also an insurance application; file updated information annually to ensure qualifies as association	discretionary groups and trusts generally not permitted	
Connecticut	no - adopted own version 38a-(532-545); does not define specific groups	yes, 38a-513	yes	Bulletin HC-88 for hospital/medical expense programs - file associations and trusts ( see comments)	no	from DOI: for group life and health, 'the law requires that any policy or certificate issued or delivered in CT is subject to review and approval. On the health side it would not be limited to ACA compliant products. I also wanted to point out Bulletin HC-88 regarding non-employer group plans being treated as individual insurance for rating purposes. Although this change was required for ACA products, the bulletin applies to all health insurance products. Although we would allow a group master policy and certificate to be issued for an association, the products are treated as individual if the plans are not employer based. This includes the requirement that rates for individual health products must be filed for prior approval.'+G10

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Delaware</b>	yes; 18 Sections 3501-3529	Yes, particularly for health benefit plans; 18-2702; see 18-2712, too F & R Bulletin 17 - A policy, certificate, or coverage for a health benefit plan offered to a resident of Delaware by an out of state trust or association must be filed with the Commissioner unless the Commissioner has determined an out-of-state group is exempt under Section 3506. If the Commissioner determines that an out-of-state group does not qualify under Section 3506, the insurer must file all forms and rates for approval which are proposed for use in Delaware.	yes for health benefit plans with approval of commissioner - Rates and Forms Bulletin 17	yes; 18-2712; With respect to group and blanket health insurance policies issued and delivered to a trust or to an association outside of this State and covering persons resident in this State, the group certificates to be delivered or issued for delivery in this State shall be filed with the Commissioner pursuant to this section provided, however, that this requirement shall not apply to an association group having received a waiver from the Commissioner upon a finding that the association group meets the qualifications set forth in Section 3506 of this title	yes; 3508 and 3509	"Health Benefit Plan," exempts only the following lines of insurance from compliance with Chapter 72: coverage not considered "major medical"; accident-only; credit; dental; vision and disability income coverage issued as a supplement to liability insurance; worker's compensation or similar insurance; or automobile medical payment insurance. All other policies and certificates which offer hospital/medical coverage and qualify as major medical expense insurance and which cover small employers of this State must comply with the provisions of 18 Delaware Code, Chapter 72, "Small Employer Health Insurance."
<b>DC</b>	no action to date	yes	yes	no		
<b>Florida</b>	no- adopted own version 627.(651-664) broader lists of eligible groups	Yes; 627.6515	yes	yes; file in-state group for approval; out-of-state file for information; DIR Bulletin 81-206; DIR Bulletin 81-211; file constitution and bylaws	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Georgia</b>	no- adopted own version 33-30-(1-11)	yes if issued to a trust (Bulletin 88-E-1) or if has PPO or portability provision (33-30-26	Discretionary groups not meeting defined group standards should be submitted for DOI approval. Group A& H forms exempt from filing per §120-2-25-.05 as long as not issued to a trust; Defined groups – §33-27-1; §33-30-1; Bulletin 88-E-1.	no if satisfy association requirements	no	
<b>Guam</b>	no action to date	no				
<b>Hawaii</b>	no- adopted own version 431:10A-201 (blanket groups)	no, pursuant to Opinion 61-82 (except Medicare Supplement (431:10A-302))	yes	no	no	
<b>Idaho</b>	no- adopted own version 41-(2201-2210)	yes; 41-1812; Bulletin 85-6	yes	include bylaws (41-1812)	no	
<b>Illinois</b>	no- adopted own version 5/367 - 5/367b	yes; 215 ILCS 5/143	yes	yes - Discretionary groups not previously approved or association groups must be filed (215 ILCS 5/230.2). Include information required by 215 ILCS 5//367.3(b).	yes	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Indiana	yes; 27-8-5-(16-19.2)	yes; 27-8-5-16.5	may reject discretionary group based on failure of 3-prong test+D31	yes - file association to ensure complies with defined group; include bylaws, marketing materials, number of members, documentation of non-insurance activities; who receives commissions or other payment; proof that association receives no remuneration for insurance offerings; verify association meets statutory definition	yes; 27-8-5-16.5	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Iowa	yes; 509.1; 509.(3-6)	35.21(1) Nondiscretionary groups. A certificate of coverage delivered in this state under a group life or accident and health insurance policy issued to a group substantially as described in Iowa Code section 509.1, subsections (1) to (7), shall not be reviewed by the commissioner if the policy is issued outside of this state. 35.21(2) Discretionary groups. A certificate of coverage delivered in this state under a group life or accident and health insurance policy issued to a group not substantially as described in Iowa Code section 509, subsections (1) to (7), shall not be reviewed by the commissioner if the policy is issued outside of this state and if the policy is issued or offered in a state which has reviewed and approved the policy under a statute substantially similar to Iowa Code section 509.1(8).	yes	although not required pursuant to 191-35.21, DOI request informational filing in event gets consumer complaint; send bylaws and include name of association in filing description	yes; 509.1	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Kansas</b>	yes; 40-2209+B33	yes for hospital/medical insurance; 40-2215; note KS takes ET jurisdiction for all coverages pursuant to 40-2222	review discretionary groups on case by case basis; 40-2209 (f)(6)	yes; if insurer forms trust, generally rejected; for associations include location and address of association; names of officers; bylaws and articles of incorporation; date master policy was approved; proof that formed for other than insurance purposes; advise how will be marketed to KS residents	yes but difficult	
<b>Kentucky</b>	no- adopted own version 304.18 (101-030)	yes; 304.14-120	yes	no, although may request constitution and by-laws	no	
<b>Louisiana</b>	no- adopted own version 22:215-22:215.1	yes; 22-861	yes; will typically not accept discretionary groups or trusts; will consider if approved in home state but no guarantee	yes; file constitution and bylaws	no	
<b>Maine</b>	yes	yes; 24-A s 2412	generally approve only groups that are recognized per 24-A 2805-A	yes; if insurer forms trust, generally rejected; file all groups except those that satisfy the state's requirements for employer groups, labor union groups, debtor groups and credit union groups (24-A s 2412 ); Complete Maine Association Required Information Questionnaire	yes	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Maryland</b>	no- adopted own version	yes; Ins. s 15-310: A person may not solicit coverage in the State under a policy of group health insurance issued in another jurisdiction without the prior written approval of the Commissioner, unless the type of group to be covered conforms substantially to one of the groups described in § 15-302 of this subtitle. (NILS applies to all accident and sickness – not just medical expense)	determines on case by case basis; typically requires compliance with 15-302	yes	no but must file for approval by commissioner; 15-302	
<b>Massachusetts</b>	no- adopted own version 175 Section 110	No	no	no	MA has consistently told us it takes no jurisdiction over out of state groups	
<b>Michigan</b>	no- adopted own version 500.(3600-3650)	No; in response to ET filings, the department has returned them stating no jurisdiction; 2236. (1)	yes if defined group	no; rescinded Bulletin 84-11 which requested that discretionary groups be filed; no replacement		



Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Minnesota</b>	no- adopted own version 62A.(10-11)	yes - health benefit plans (62A.02) other plans (62A.01) see comments	typically will not approve	no	no	Subd. 3. Exclusions. Subdivision 2 does not apply to certificates issued in regard to a master policy issued outside the state of Minnesota if all of the following are true: (1) the policyholder or certificate holder exists primarily for purposes other than to obtain insurance; (2) the policyholder or certificate holder is not a Minnesota corporation and does not have its principal office in Minnesota; (3) the policy or certificate covers fewer than 25 employees who are residents of Minnesota and the Minnesota employees represent less than 25 percent of all covered employees; and (4) on request of the commissioner, the issuer files with the commissioner a copy of the policy and a copy of each form of certificate. This subdivision applies to employers who are not corporations if they are policyholders or certificate holders providing coverage to employees through the certificate or policy.
<b>Mississippi</b>	no action to date	yes 83-5-7	groups not defined; however see 19-1-10.01	yes 19-1-10.01 if trust involved	no	no
<b>Missouri</b>	no- adopted own version 376.(421-426)) but imposes 3 pronged test and may accept groups approved in other model bill states	yes - 20 CSR 400-2.130	file - may accept if approved in another model bill state	yes; 20 CSR 400-2.130	yes	
<b>Montana</b>	no- adopted own version 33-22- (501-505)	yes; 33-1-501 and Bulletin 84-1	subject to state approval	yes; Bulletin 84-1	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Nebraska	no- adopted own version 44-(760-764)	generally no - however 44-470 - No sickness and accident insurance policy subject to the federal Patient Protection and Affordable Care Act, Public Law 111-148, shall be delivered or issued for delivery in this state, including any policy or certificate of sickness and accident insurance issued to or for associations not domiciled in this state other than a certificate issued to an employee under an employee benefit plan of an employer headquartered in another state where the policy is lawfully issued in that state, nor shall any endorsement, rider, certificate, or application which becomes a part of any such policy be used until a copy of the form and of the premium rates and of the classification of risks pertaining thereto has been filed with and approved by the Director of Insurance. standard hospital and medical expense coverage issued to a NJ resident under a group contr	yes	no	no but 44-760 indicates that undefined groups subject to Commissioner approval	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Nevada</b>	no- adopted own version 689B.(101-303		will not permit trusts and will not accept groups formed for insurance purposes. 689B.020	yes; file articles of incorporation and bylaws; documentation of association's activities; sales and marketing materials; membership application; benefits of membership other than insurance; provide the number of members who do and who do not have insurance under the association's insurance plans; information on officers and directors, financial statement of association based on sources other than insurance; share how insurance coverage is marketed; and name and address of TPA.	yes, 689B.026	
<b>New Hampshire</b>	no- adopted own version 415:18; 415:18b	yes - 415:18; DOI position	No; INS No. 08-067-AB	not accepted unless a qualified association trust as defined in RSA 420-G:4, XV	not accepted	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
New Jersey	no- adopted own version 17B:27-(26-46)	generally no. However, NJ takes jurisdiction over group credit life and health, group limited death benefits and group pre-need, group Medicare Supplement, and non-standard hospital and medical expense coverage issued to a NJ resident under a group contract issued to a trust or association if the eligible persons pays the entire premium and person not being covered under the gorup policy pursuant to a continuation of benefits provision applicable under state or federal law (17B:27A-2)	yes	no	no	
New Mexico	no - adopted own version 59A-23 (1-5)	yes Bulletin 1997-5	yes	59A-23-9 - Unless the rate applicable to the certificate of coverage of an out-of-state association or trust complies with the requirements of Section 59A-18-13.1 or 59A-23C-5.1 NMSA 1978, the out-of-state association or trust shall not: A. advertise in the state as a benefit of membership for any group health insurance policy available to its members or beneficiaries; B. issue a certificate for delivery in New Mexico to any resident of the state; or C. solicit membership in the state on the basis of the existence or availability of such health insurance coverage.	yes - 59A-23-8	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>New York</b>	no - adopted own version 4235	yes; 11 NYCRR 59/4; 3201 (a) (b)	very broad definition of eligible groups; 4235	no	no	
<b>North Carolina</b>	yes; 58-51-(80-85)	yes 58-3-5 and 58-3-150	subject to state approval 58-3-150 (b) based on NC association questionnaire	yes; NC has detailed checklist for association groups; provide constitution and bylaws, too.		
<b>North Dakota</b>	yes; 26.1-36-05 (section 5 only)	yes 26.1-30-19 and 26.1-02-05 (6)	yes	yes for discretionary groups	yes	
<b>Ohio</b>	no - adopted own version 3923.12	yes; 3923.01	yes	no but commissioner reserves right to have group filed	no	
<b>Oklahoma</b>	no - adopted own version 36:4501-4507	see 36 s 3601 - This article shall not apply to 2. Policies or contracts not issued for delivery in Oklahoma nor delivered in Oklahoma, except upon subjects of insurance other than life and disability insurance located or to be performed in Oklahoma, and, except as provided in subsection E of Section 3610 of this article. (E. This section shall apply also to any such form used by domestic insurers for delivery in a jurisdiction outside Oklahoma, if the insurance supervisory official of such jurisdiction informs the Insurance Commissioner that such form is not subject to approval or disapproval by such official, and upon the Commissioner's order requiring the form to be submitted to him for the purpose.) NOTE - OK relies on 3602 and considered 'policy' to include out of state forms so filing recommended	yes	yes; provide constitution and by-laws	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
<b>Oregon</b>	no - adopted own version 743.(522-560)	yes -731.146	yes - complete questionnaire for associations, trusts and discretionary groups; may reject groups formed for insurance purposes; once file, commissioner may consider group 'exempt' 731.486	yes - complete questionnaire for associations, trusts and discretionary groups; may reject groups formed for insurance purposes; once file, commissioner may consider group 'exempt' 731.486	yes - 743.360	731.484 - Group life or health sales: prohibitions: (1) No insurer or insurance producer selling a policy of group life insurance or group health insurance subject to the exemption in ORS 731.146(2)(b) is authorized to sell membership in a group for the purpose of qualifying an applicant who is an individual for the insurance. (2) No insurer or insurance producer selling membership in a group is authorized to offer a policy of group life insurance or group health insurance subject to the exemption in ORS 731.146(2)(b) for the purpose of selling membership in the group.
<b>Pennsylvania</b>	no - adopted own version 4235	no except for non-defined groups	based on 40-39-110 (5) (despite ANNEX A), department expects discretionary groups to be filed	defined group so acceptable	yes - 40-39-110 ( will accept groups approved in a model bill state - DOI position)	
<b>Puerto Rico</b>	no - adopted own version 1701 and 1401	yes - T.26 s 1111; based on 1111 (5), the commissioner may exempt certain forms; if situs state approved forms and has same uniform policy provisions as PR, filed informational and accepted. If not, file for approval (DOI position)	yes	no	no	
<b>Rhode Island</b>	no - adopted own version (partially model bill) 27-23-(801-803)	generally no, if not formed for insurance purposes; Commissioner may require filing; 27-2-10; 27-4; 27-16-1.2; 27-18-8; may also take jurisdiction over health plans pursuant to 42-62-13 (comprehensive healthcare act)	yes but need to be careful of insurance company sponsored trusts	no	no	
<b>South Carolina</b>	no adopted own version 38-71-(710-730)	yes - informational if exempt; approval if mass-marketed (no agent)38-71-750; Bulletin 89-1; see also 38-61-20; Bulletin 75-9	yes	sometimes file association to determine whether mass marketed or not	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
South Dakota	no adopted own version 58-18-(1 to 6.1); 58-18(21 - 30)	yes - 58-11-12	very difficult on trusts and groups for for insurance purposes - Bulletin 98-6	yes - 20:06:42:01	no	
Tennessee	no adopted own version 56-26 (201 - 203)	yes based on AGO 240	yes but very limited number of defined groups	no	no	
Texas	no adopted own version 1251.(001-255)	yes; 1701.002	yes but must file	yes; 1251.052 when filing association include constitution and bylaws and completed face page of master policy	yes; 1251.056	
Utah	no adopted own version 31A-22-701 & 31A-22-713	yes; 31A-21-201	yes but must file 31A-22-701	yes - file constitution and bylaws - get approval of group first and then file forms if group acceptable	yes; 31A-22-701	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Vermont	no adopted own version 4079	yes 3341 but see 3306 for exemptions- Transactions in Vermont involving group or blanket insurance if: (A) the master policy was lawfully issued and delivered in a state in which the insurer was authorized to do an insurance business; (B)(i) no more than 25 of the certificate holders are Vermont residents; or (ii) the master policy covers one or more certificate holders who reside in Vermont, are employed at a workplace located outside Vermont and have obtained insurance coverage through the workplace; (C) the person or entity holding the master policy exists primarily for purposes other than to procure insurance, is not a Vermont corporation or resident, and does not have its principal office in Vermont; and (D) the policy is not offered for sale by an agent or broker licensed in Vermont, offered by mail to a Vermont resident, directly advertised to a Vermont resident, or marketed in Vermont in a similar manner. An insurer exempted from the requirements of this subsection by the provisions of this subdivision shall not issue or deliver a policy or certificate to a resident of Vermont without including a notice approved by the commissioner that the policy or certificate is not subject to regulation by Vermont.	will not permit trusts and will not accept groups formed for insurance purposes. 4079 - any non-defined group is filed for approval by commissioner	yes	no	



Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Virginia	yes; 38.2-(3521-3543)	38.2-3523.2: Policies issued outside of commonwealth - A group accident and sickness insurance policy issued outside of this Commonwealth, providing coverage to residents of this Commonwealth, that does not qualify under § 38.2-3521.1 or § 38.2-3522.1 shall be subject to the statutory requirements of this title and may subject the insurer issuing such policy to the penalties available under this title for violation of such requirements.	yes	yes as DOI determines whether a discretionary group on a case by case basis	yes; 38.2-3522.1	
Washington	48.21(.010-120)	yes 284-30-600	yes - file discretionary groups - tough review and not all non-defined groups are approved	no if satisfy association requirements; however DOI may want to make that determination so provide constitution and bylaws	yes 48.21.010	
West Virginia	no - adopted own version 33-16(1-3); 33-16F(-1-8)	yes - 33-6-8	yes 33-6-8 (e) and 114-39-9	yes; must provide information to show compliance with associatoin defintion - otherwise considered discretionary group; 33-6-8 (e)	yes; 33-16-2 and 33-16-; 33-14-6	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Wisconsin	no action to date	<p>yes - 631.20 unless exempted.                      600.01 exemptions – item 3. Group or blanket insurance covering risks in this state if: a. Both the policyholder and the group exist primarily for purposes other than to procure insurance; am. The relationship or association between the policyholder and the group was not created for purposes of procuring insurance; b. The policyholder is not a Wisconsin corporation or other resident and does not have its principal office in Wisconsin; c. No more than 25% of the certificate holders or insureds are resident in this state; cm. Exemption from the operation of chs. 600 to 646 is not determined by rule or order of the commissioner to be contrary to the public interest; d. On request of the commissioner, the insurer files with the commissioner a copy of the policy and a copy of each form of certificate; and e. The insurer agrees to pay taxes on the Wisconsin portion of the business on the same basis it would do if authorized to do business in this state, and provides the commissioner with such security as the commissioner deems necessary for the payment of such taxes. Item 4</p> <p>4. Group or blanket insurance covering risks mainly outside this state if: a. Both the policyholder and the group exist primarily for purposes other than to procure insurance; am. The relationship or association</p> <p>between the policyholder and the</p>	yes if not formed for insurance purposes	no	no	

Group Health Association and Discretionary Groups

State	Adopted Eligible Group Model Bill 100 or Substantially Similar Law?	Extraterritorial Filing Requirements for Forms or Rates	Accepts Associations and Discretionary Groups/Trusts?	Requires Copies of Association docs or DG Trust Docs to ensure satisfies requirements	Discretionary Group Must satisfy 3-Prong Test	Comments
Wyoming	yes; 26-19-(101-112)	yes - 26-19-110; 26-1-102	yes	no, if satisfy association group requirements	yes - 26-19-110	

\* Typically for in-state groups, where groups are defined, commissioner must approve group not otherwise defined; For out of state groups covering a resident in an ET state, a number of states impose 3 prong test that is reciprocal when group approved by another 3 prong test state.