



2020 Group Benefits Employer Markets Legislative Notice

Employee Version

Note: The purpose of this Notice is to provide an overview of new laws primarily passed in 2020 that may impact your insurance policy. These laws may apply to the extent that your policy has the applicable provisions in the contract.

DISCLAIMER: The Hartford provides this Notice for informational purposes only. This Notice includes information that may impact policies issued by The Hartford, but does not constitute legal advice. You should continue to consult your employer's legal and HR resources for guidance on the application of the law(s) cited in this Notice.

Policy Provisions

State and Title: ID IDAPA 18.04.08 s 000 Dated 10-02-2019

Effective Date: March 20, 2020

Summary: Idaho updated its regulation on minimum standards applicable to certain Disability Income, Hospital Indemnity, Accident, Accidental Death and Dismemberment, and Critical Illness coverage, to clarify which standards apply to which types of coverage, and to provide for full disclosure in the policy/certificate for the marketing and sale of such insurance.

State and Title: NH Ins. 6001.05

Effective Date: September 28, 2020

Summary: New Hampshire updated the following Exclusions language within the section pertaining to driving under the influence of drugs or alcohol for certain ancillary health products.

Policy forms containing the permissible exclusions for drug use and driving under the influence will need to comply with the following:

“f. The voluntary consumption of drugs that are not prescribed by the insured's physician or are not used in the manner prescribed; and

g. Driving under the influence of drugs or alcohol or any combination thereof”

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State and Title: NH Ins. 6202.03

Effective Date: October 23, 2020

Summary: New Hampshire updated its minimum standards regulations applicable to certain Hospital Indemnity and Accident-Only Coverage to clarify definitions, minimum benefits, prohibited provisions and required disclosures. Most notably, the accidental death and double dismemberment minimum amounts allowed have been lowered from \$10,000 per covered person to \$5,000, and amounts for a single dismemberment of a limb, in whole or in part, have been revised from at least \$5,000 to at least \$2,500 per covered person.

State and Title: NM NMAC 13.10.34

Effective Date: October 1, 2020

Summary: The New Mexico Office of the Superintendent has promulgated minimum standards for Accident-Only, Specified Disease or Illness and Hospital Indemnity policies, to establish regulatory requirements and standardize the terms of coverage. General standards and prohibited provisions were established for all coverages. The following summarizes the standards created for the specific coverages:

- Hospital Indemnity: established benefit minimums for hospital confinement benefits; defines “confinement” and “continuous period of hospital confinement”; identifies benefit limits; establishes requirements for outpatient visits.
- Accident-Only: provides definition for “injury”; establishes minimum coverage requirements for death, dismemberment and partial dismemberment benefits; provides restrictions on the use of a probationary or waiting period and offering sickness benefits not resulting from an accident.
- Critical Illness: provides general rules for coverage including a limitation on waiting/probationary periods and when benefits shall be payable; establishes minimum benefits standards and minimum benefits limits.

State and Title: VA Senate Bill 567

Effective Date: July 1, 2020

Summary: Virginia passed a law which will require short-term disability income policies that provide short-term disability arising out of childbirth, to provide coverage for a payable benefit of at least 12 weeks immediately following childbirth for such a disability.



Discretionary Clauses:

State and Title: CO Senate Bill 176

Effective Date: September 14, 2020

Summary: The Colorado legislature amended section 10-3-1116 of the insurance code which addresses remedies for unreasonable delay or denial of benefits, adding language defining “issued in Colorado” to include, health and disability policies, contracts or certificates that are existing, offered, issued, delivered or renewed in CO to include residents of CO, regardless of whether the employer is located or domiciled in CO, on or after August 5, 2008.

Disclosures/Notices:

State and Title: AR Bulletin 4A-2020

Effective Date: March 15, 2020

Summary: The AR Insurance Department advised insurers to update policy forms with the Department’s new address and also include language, advising policyholders of their right to file a complaint.

State and Title: NH Ins. 6201.05 dated 8-20-2020

Effective Date: October 23, 2020

Summary: New Hampshire updated their minimum standards regulations applicable to certain Disability, Accidental Death and Dismemberment, Accident-Only, Critical Illness and Hospital Indemnity policies to clarify disclosure requirements.



Guaranty Association Notices:

The purpose of the Life and Health Insurance Guaranty Associations is to provide certain insured's with a limited benefit in the event that their insurance company becomes insolvent and can no longer pay claims. Each state provides coverage according to its Life and Health Insurance Guaranty Association laws for certain certificate holders under a group insurance policy. All insurance companies (with limited exceptions) licensed to write life and health insurance or annuities in these states are required, as a condition of doing business in the state, to be members of the Guaranty Association. The Hartford is required by law to provide or make available the Guaranty Association Notice as a means of informing policyholders of the existence and purpose of the Guaranty Association. The following states have made changes to their Guaranty Association coverage limits:

State and Title: MO 20 CSR 400-5.600 Appendix One

Effective Date: January 30, 2021

Summary: The MO Department of Insurance notified carriers of changes to the Guaranty Notice which expands coverage to include Health Maintenance Organizations (HMOs) and health benefit plans.

State and Title: MS 19-1-24.03 Dated 11-18-2020

Effective Date: January 01, 2021

Summary: The MS Department of Insurance notified carriers of changes to the Guaranty Notice which expands coverage to include Health Maintenance Organizations (HMOs) and health benefit plans.

State and Title: SC Bulletin 2020-11

Effective Date: December 14, 2020

Summary: The SC Department of Insurance notified carriers of changes to the Guaranty Notice which expands coverage to include Health Maintenance Organizations (HMOs) and health benefit plans.

State and Title: SD Memo Regarding Revised Guaranty Association Summary

Effective Date: April 08, 2020

Summary: The SD Life and Health Insurance Guaranty Association notified carriers of changes to the Guaranty Notice which expands coverage to include Health Maintenance Organizations (HMOs) and health benefit plans.

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State and Title: TX SERFF Notice regarding Revised Guaranty Association Notice

Effective Date: May 01, 2020

Summary: The TX Department of Insurance notified carriers of changes to the Guaranty Notice which expands coverage to include Health Maintenance Organizations (HMOs) and health benefit plans.