I. SELF-FUNDED STUDENT HEALTH PLAN INFORMATIONAL REQUIREMENTS

|  |  |  |
| --- | --- | --- |
|  | RULE/STATUTE REFERENCE | CONFIRM FORMS ADHERE TO THE FOLLOWING REQUIREMENTS |
| Definition: Student Health Plan | RSA 420-O:2 (VI) | Any self-funded plan established or maintained by an institution of higher education for the purpose of providing medical, surgical, or hospital services to a student, the student’s spouse or domestic partner, the student’s child or children, or other persons chiefly dependent upon the student for support and maintenance. |
| Certificate of Authority | RSA 420-O:3 I | An institution of higher education shall not establish, maintain, or otherwise participate in a student health plan in this state unless the institution obtains and maintains a certificate of authority from the commissioner pursuant to this chapter. |
| Establishing a Certificate of Authority | RSA 420-O:3, II | To obtain a certificate of authority, an institution shall file an application meeting all the requirements of RSA 420-O:3, II (a) – (j). |
| Minimum Loss Ratio | RSA 420-O:4, I | A plan under this chapter shall have an expected loss ratio of not less than 85 percent. In reviewing a rate filing or application by a plan, the commissioner may modify the expected minimum loss ratio requirement if the commissioner determines the modification to be in the interests of the people of this state or if the commissioner determines that a modification is necessary to maintain plan solvency. |
| Reserves | RSA 420-O:5 | Reserves shall be in compliance with RSA 420-O:5. |

II. SELF-FUNDED STUDENT HEALTH PLAN MAINTENANCE and ANNUAL REPORTING REQUIREMENTS

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | RULE/STATUTE REFERENCE | CONFIRM FORMS ADHERE TO THE FOLLOWING REQUIREMENTS | YES | N/A |
| Maintaining a Certificate of Authority | RSA 420-O:3, III | To maintain a certificate of authority must comply with RSA 420-O:3, III (a) – (g). |  |  |
|  | RSA 420-O:3, III (a) | (a) Have on a continuous basis within its own organization adequate resources and competent personnel to administer the student health plan or, in order to provide such administrative services, in whole or part, have contracted with a person or entity to serve as a plan administrator; provided that any such contracted plan administrator shall be in good standing under RSA 402-H or any other requirements of Title XXXVII applicable to administration of the plan. |  |  |
|  | RSA 420-O:3, III (b) | (b) Establish and maintain premium equivalents sufficient to meet its contractual obligations and to satisfy the reserve requirements set forth in RSA 420-O:5. |  |  |
|  | RSA 420-O:3, III (c) | (c) Comply with consumer protection requirements under Title XXXVII, including, but not limited to, RSA 420-J, and rules adopted thereunder, RSA 417, and the department's claims processing rules, including the requirements for claims review, network adequacy, dispute resolution, and appeal procedures. |  |  |
|  | RSA 420-O:3, III (d) | (d) Provide covered students with a copy of the plan document annually. |  |  |
|  | RSA 420-O:3, III (e) | (e) Maintain recognition of the student health plan as minimum essential coverage in accordance with 45 C.F.R. section 156.604. |  |  |
|  | RSA 420-O:3, III (f) | (f) File all plan documents, including the plan document, premium equivalents, and any changes in contracts or stop-loss coverage with the commissioner annually at least 60 days prior to the start of the plan year, and receive the commissioner's approval in accordance with Title XXXVII prior to the coverage start date. |  |  |
|  | RSA 420-O:3, III (g) | (g) File an annual report with the commissioner in accordance with RSA 420-O:6. |  |  |
| Annual Reporting: Actual Loss Ratio | RSA 420-O:4, II | No later than 120 days after the close of a plan's fiscal year, a plan shall annually report the actual loss ratio for the previous plan fiscal year in a format acceptable to the commissioner. If the expected loss ratio is not met, the commissioner may direct the plan to take corrective action. Mandatory uniform student administrative health fees paid by the students irrespective of whether the student is a plan member to an institution shall not be deemed to be included in the premiums paid by students for health benefit coverage under a plan. |  |  |
| Annual Reporting | RSA 420-O:6, I & II | I. Within 120 days of the close of its fiscal year, an institution of higher education operating under a certificate of authority issued under this chapter shall file with the commissioner a report that contains:(a) An annual financial statement, verified by the oath of the chief financial officer and at least one of the institution's principal officers with direct knowledge of the operations of the student health plan, showing the financial condition of the plan during the most recent fiscal year, in accordance with law and generally accepted accounting principles, in a form prescribed by the commissioner.(b) The identity of the qualified actuary utilized by the institution or plan and the amount paid to the qualified actuary by the institution or plan during its most recent fiscal year.(c) The identities of all vendors involved in plan administration during its most recent fiscal year.(d) The name and contact information of the person or entity appointed by the institution to administer the student health plan.(e) A pro-forma statement of projected revenue and expenses for health benefits anticipated by the plan for the next 12-month period of the plan's operation, provided on a fiscal year basis.(f) A detailed report of the operations and condition of the plan's reserve funds.(g) Such other information as the commissioner may require.II. The annual financial statement shall show the financial results of the student health plan operations and a description as to how the institution meets the reserve requirements in RSA 420-O:5, I, the method used to calculate the reserves, and the change in the reserves from the beginning of the plan's fiscal year to the end of the plan's fiscal year. In addition, the annual financial statement shall detail the assets comprising the reserve fund to demonstrate compliance with RSA 420-O:5, I. |  |  |

III. COMMENTS: