

DEPARTMENT OF INSURANCE**Legal Division**

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**Guidance 2244:3**

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Pursuant to Assembly Bill 2244 (Chapter 656, Statutes 2010), the California Department of Insurance (CDI) issues the following guidance regarding compliance. Further guidance may be forthcoming in the future.

1. With regard to the Small Employee Group health insurance policies that it offers, an insurer must comply with the provisions of California Insurance Code (CIC) §10708 as amended by AB2244 (CIC §10708(a)(2), eff. 1/1/11) except for the following types of insurance policies specifically exempted from the provisions of CIC §10708 by CIC §10700(j):
 - a. accident only,
 - b. credit,
 - c. disability income,
 - d. coverage of Medicare services pursuant to contract with the United States government,
 - e. Medicare supplement,
 - f. long-term care insurance,
 - g. dental, vision, coverage issued as a supplement to liability insurance,
 - h. automobile medical payment insurance, or
 - i. insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.

2. With regard to the Group health insurance policies that it offers, an insurer must comply with the provisions of CIC §10198.7 as amended by AB2244 (CIC §10198.7(c)(1), eff. 1/1/11) except for the following types of insurance policies specifically exempted from the provisions of CIC §10198.7 by CIC §10198.6(a):
 - a. accident only,
 - b. credit,
 - c. disability income,
 - d. coverage of Medicare services pursuant to contract with the United States government,
 - e. Medicare supplement,
 - f. long-term care insurance,
 - g. dental, vision, coverage issued as a supplement to liability insurance,
 - h. insurance arising out of a workers' compensation or similar law,
 - i. automobile medical payment insurance, or

- j. insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.
3. With regard to the Non-Grandfathered Individual health policies that it offers, an insurer must comply with the provisions of CIC §10198.7 as amended by AB2244 (CIC §10198.7(c)(2), eff. 1/1/11) except for the following types of insurance policies specifically exempted from the provisions of CIC §10198.7 by CIC §10198.6(a):
- a. accident only,
 - b. credit,
 - c. disability income,
 - d. coverage of Medicare services pursuant to contract with the United States government,
 - e. Medicare supplement,
 - f. long-term care insurance,
 - g. dental, vision, coverage issued as a supplement to liability insurance,
 - h. insurance arising out of a workers' compensation or similar law,
 - i. automobile medical payment insurance, or
 - j. insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.
4. With regard to the Non-Grandfathered Individual health policies that it offers, an insurer must comply with the provisions of CIC §§10950, 10951, 10953, 10954, 10957, 10958, and 10959 except for the following types of insurance policies specifically exempted from the provisions of those sections by CIC §10952:
- a. health benefit plans for coverage of Medicare services pursuant to contracts with the United States government,
 - b. Medicare supplement policies,
 - c. Medi-Cal contracts with the state Department of Health Care Services,
 - d. policies offered under the Healthy Families Program,
 - e. long-term care coverage, or
 - f. specialized health benefit plans. The commissioner finds that in this context, the term "specialized health benefit plan" has the same meaning as the term "specialized health insurance policy."¹

¹ A specialized health insurance policy a policy of health insurance for covered benefits in a single specialized area of health care, including dental-only, vision-only, and behavioral health-only policies. (CIC §106(c).)