



**APPLICATION FORM FOR
MULTIPLE EMPLOYER WELFARE ARRANGEMENT (MEWA) REGISTRATION
California Insurance Code Section 10753.05**

Date: _____

Original Application Form for MEWA¹ Registration

Amended Application Form for MEWA Registration

MEWA Registration Number:

Date of most recent Application
Form for MEWA Registration: _____

Annual Filing of Ongoing Compliance with Section 10753.05²

MEWA Registration Number:

Does the MEWA continue to seek registration with the Department of Insurance (CDI), and comply with the requirements set forth in Section 10753.05(b)(8)(B) or (C)? Check below to affirm:

Yes. *If yes, indicate which provision:* (b)(8)(B) (b)(8)(C)

No

Are there any changes to the MEWA's most recently submitted Application Form for MEWA Registration? Check below to affirm:

Yes. If yes, skip Parts 1 through 6 below, complete Parts 7 and 8, and submit the executed Application Form for MEWA Registration.

No. If no, please submit an Amended Application Form for MEWA Registration for review.

Date of most recent Application
Form for MEWA Registration: _____

¹ A multiple employer welfare arrangement is defined in Section 3(40) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. § 1002(40)).

² Citations are to the California Insurance Code, unless otherwise noted.

1. MEWA General Contact Information

a. Legal name of MEWA:

b. Date of MEWA's establishment:_____

c. Fictitious name(s) used in connection with operation of MEWA:

d. Address:

e. Mailing address, if different:

f. Phone number (include area code):

g. Email address:

h. Website:_____

2. Insurer Information. Provide the legal name and dba of each CDI-licensed health insurer or disability insurer through which the large group health insurance policy offers fully insured benefits. (§ 10753.05(b)(8)(i)(VI).)

3. Under which provision of Section 10753.05(b)(8) is the MEWA seeking registration?

Section 10753.05(b)(8)(B). If selected, complete Part 4 and skip Part 5.

Section 10753.05(b)(8)(C). If selected, skip Part 4, and complete Part 5.

4. Section 10753.05(b)(8)(B) Compliance. Check below to affirm:

- a. The MEWA is an association of employers offering a large group health insurance policy consistent with ERISA, as amended (29 U.S.C. § 1001 *et seq.*). (§ 10753.05(b)(8)(B)(i).)
- b. The association is headquartered in California and is a multiple employer welfare arrangement as defined under Section 3(40) of ERISA (29 U.S.C. § 1002(40)). (Section 10753.05(b)(8)(B)(i)(I).)

Address of association's headquarters:

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- c. The MEWA is fully insured as described in Section 514 of ERISA (29 U.S.C. § 1144) and is a bona fide association or group of employers that may act as an "employer" under Section 3(5) of ERISA. (§ 10753.05(b)(8)(B)(i)(II).)
 - d. The MEWA was established prior to March 23, 2010, has been in continuous existence since that date, and offers a large group health insurance policy in connection with an employee welfare benefit plan under Section 3(1) of ERISA (29 U.S.C. § 1002(1)). (§ 10753.05(b)(8)(B)(i)(III).)

Date of MEWA's establishment: _____

Date of first operation: _____

Date MEWA began offering coverage: _____

- e. As of January 1, 2019, the large group health insurance policy offered to employees has continuously provided a level of coverage having an actuarial value equivalent to, or greater than, the platinum level of coverage as described in Section 10112.295, that is available through the California Health Benefit Exchange established pursuant to Government Code Section 100500, and the large group health insurance policy provides coverage for essential health benefits consistent with Section 10112.27 and any rules or regulations adopted pursuant to that section. (§ 10753.05(b)(8)(B)(i)(IV).)

Provide the name of the insurer, and the CDI policy form filing numbers (PF-) demonstrating the large group insurance policy offered to employees complies with the above:

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- f. The large group health insurance policy includes coverage of employees, and their dependents, who are employed in designated job categories on a project-by-project basis for one or more participating employers, with no single project exceeding six months in duration, and who, in the course of that

- employment, are not covered by another group health insurance policy in which the employer participates. Employer members of the MEWA shall subsidize at least 51% of the cost of individual employee premiums of their employees. (§ 10753.05(b)(8)(B)(i)(V).)
- g. The large group health insurance policy offers only fully insured benefits through a health insurer or disability insurer licensed by the department. The benefits offered under the large group health insurance policy shall be considered fully insured only if the terms of the health insurance policy provide for benefits, the amount of all of which the department determines are guaranteed under a policy of insurance issued by an insurer licensed by the department. (§ 10753.05(b)(8)(B)(i)(VI).)
- h. The number of total employees, including employees described in Section 10753.05(b)(8)(B)(i)(V), employed by all participating employers in each year is at least 101 employees. (§ 10753.05(b)(8)(B)(i)(VII).)
- i. The MEWA and participating employers have a genuine organizational relationship unrelated to the provision of health care benefits, and the MEWA existed prior to the establishment of the employee welfare benefit plan. (§ 10753.05(b)(8)(B)(i)(VIII).)
- j. The participating employers have a commonality of interests from being in the same line of business, unrelated to the provision of health care benefits, as demonstrated by membership in the same business league, as described in Section 501(c)(6) of the Internal Revenue Code (26 U.S.C. § 501(c)(6)). (§ 10753.05(b)(8)(B)(i)(IX).)
- k. Membership in the MEWA is open solely to employers, including the MEWA as an employer, and participating member employers exercise control, either directly or indirectly, over the employer welfare benefit plan, the MEWA, and the large group health insurance policy, in form and in substance. (§ 10753.05(b)(8)(B)(i)(X).)
- l. The large group health insurance policy is treated as a single-risk-rated policy that is guaranteed issue and guaranteed renewable for employees and dependents. An employee or dependent is not charged premium rates based on health status and is not excluded from coverage based upon any preexisting condition. Employee and dependent eligibility are not directly or indirectly based on health or claims of any person. An employer is not excluded from participating in a MEWA or offering the large group health insurance policy based on health status or claims of any employee or dependent. (§ 10753.05(b)(8)(B)(i)(XI).)

5. Section 10753.05(b)(8)(C) Compliance. Check below to affirm:

- a. The MEWA is an association of employers offering a large group health insurance policy to small group employer members of the association, consistent with ERISA, as amended (29 U.S.C. § 1001 *et seq.*). (§ 10753.05(b)(8)(C)(i).)
- b. The association is headquartered in California, was established prior to March 23, 2010, has been in continuous existence since that date, and is a bona fide association or group of employers under ERISA that may act as an employer under Section 3(5) of ERISA (29 U.S.C. § 1002(5)). The association is the sponsor of a MEWA as defined under Section 3(40) of ERISA (29 U.S.C. § 1002(40)). (§ 10753.05(b)(8)(C)(i)(I).)

Address of association's headquarters:

Date of association's establishment: _____

- c. The MEWA is fully insured as described in Section 514 of ERISA (29 U.S.C. § 1144), is headquartered in California, and is in full compliance with all applicable state and federal laws. (§ 10753.05(b)(8)(C)(i)(II).)

Address of MEWA's headquarters:

- d. The MEWA has offered a large group health insurance policy since January 1, 2012, in connection with an employee welfare benefit plan under Section 3(1) of ERISA (29 U.S.C. § 1002(1)). (§ 10753.05(b)(8)(C)(i)(III).)

Date of first operation: _____

Date MEWA began offering coverage: _____

- e. The large group health insurance policy offers to employees a level of coverage having an actuarial value or equivalent to, or greater than, the platinum level of coverage pursuant to Section 10112.297 available through the California Health Benefit Exchange established pursuant to Section 100500 of the Government Code, and provides coverage for essential health benefits consistent with Section 10112.27 and Article 22 (commencing with Section 2594) of Subchapter 3 of Chapter 5 of Title 10 of the California Code of Regulations. (§ 10753.05(b)(8)(C)(i)(IV).)

Provide the name of the insurer, and the CDI policy form filing numbers (PF-) demonstrating the large group insurance policy offered to employees complies with the above:

- f. The large group health insurance policy includes coverage of common law employees, and their dependents, who are employed by an association member in the biomedical industry and whose employer has operations in California. (§ 10753.05(b)(8)(C)(i)(V).)
- g. The large group health insurance policy offers only fully insured benefits through a health insurance policy with a health insurer that is licensed by the department. (§ 10753.05(b)(8)(C)(i)(VI).)
- h. The association members purchasing health coverage have a minimum of four full-time common law employees and are current employer members of the association sponsoring the MEWA. Employer members of the association subsidize employee premium by at least 51%. (§ 10753.05(b)(8)(C)(i)(VII).)
- i. The association is an organization with business and organizational purposes unrelated to the provision of health care benefits and existed prior to the establishment of the MEWA offering the employee welfare benefit plan. (§ 10753.05(b)(8)(C)(i)(VIII).)
- j. The participating member employers have a commonality of interests from being in the same industry, unrelated to the provision of health care benefits. (§ 10753.05(b)(8)(C)(i)(IX).)
- k. Membership in the association is open solely to employers, and the participating member employers, either directly or indirectly, exercise control over the employee welfare benefit plan, the MEWA, and the large group health insurance policy, in both form and substance. (§ 10753.05(b)(8)(C)(i)(X).)
- l. The large group health insurance policy is treated as a single-risk-rated contract that is guaranteed issued and renewable for member employers, as well as their employees and dependents. An employee or dependent is not charged premium rates based on health status and is not excluded from coverage based upon any preexisting condition. Employee and dependent eligibility are not directly or indirectly based on health status or claims of any person. An employer otherwise eligible for coverage is not excluded from participating in a MEWA, or offering or renewing the large group health insurance policy based on health status or claims of any employee or dependent. (§ 10753.05(b)(8)(C)(i)(XI).)
- m. The MEWA at all times covers at least 101 employees. (§ 10753.05(b)(8)(C)(i)(XII).)

6. MEWA's Agent for Service of Process in the State of California:

Name: _____

Address:

Mailing address, if different:

7. Contact Person for Application Form for MEWA Registration

Name: _____

Title: _____

Address:

Mailing address, if different:

8. Application Form for MEWA Registration Declaration

I certify (or declare) under penalty of perjury under the laws of the State of California that I have read the information contained in this Application Form for MEWA Registration, including its attachments, if any, and know the contents thereof and that the statements therein are true and correct.

I further declare hereby that the MEWA will annually file evidence of ongoing compliance by submitting the Application Form for MEWA Registration to demonstrate compliance with Section 10753.05(b). (§ 10753.05(b)(8)(B)(i)(XII) and (C)(i)(XIII)].

MEWA Name:

Signature of Authorized Representative:

Date:

Name and Title:

Executed at (City and State):
