

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 675

**Representative Dean
Cosponsor: Representative Brinkman**



A BILL

To amend section 3923.332 of the Revised Code to 1
prohibit the Superintendent of Insurance from 2
prohibiting certain forms of solicitation of 3
Medicare supplement policies. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3923.332 of the Revised Code be 5
amended to read as follows: 6

Sec. 3923.332. (A) No medicare supplement policy or 7
certificate in force in this state shall contain benefits that 8
duplicate benefits provided by medicare. 9

(B) Notwithstanding section 3923.04 of the Revised Code or 10
any other provision of law of this state, a medicare supplement 11
policy or certificate shall not exclude or limit benefits for 12
losses incurred more than six months from the effective date of 13
coverage because it involved a preexisting condition. The policy 14
or certificate shall not define a preexisting condition more 15
restrictively than a condition for which medical advice was 16
given or treatment was recommended by or received from a 17
physician within six months before the effective date of 18

coverage. 19

(C) The superintendent of insurance shall adopt reasonable 20
rules to establish specific standards for policy provisions of 21
medicare supplement policies and certificates. The standards 22
shall be in addition to and in accordance with applicable laws 23
of this state, including sections 3923.03 to 3923.09 of the 24
Revised Code. No requirement in Title XVII or XXXIX of the 25
Revised Code relating to minimum required policy benefits, other 26
than the minimum standards contained in section 3923.33 and 27
sections 3923.331 to 3923.339 of the Revised Code, shall apply 28
to medicare supplement policies and certificates. The standards 29
may cover, but are not limited to: 30

(1) Terms of renewability; 31

(2) Initial and subsequent conditions of eligibility; 32

(3) Nonduplication of coverage; 33

(4) Probationary periods; 34

(5) Benefit limitations, exceptions, and reductions; 35

(6) Elimination periods; 36

(7) Requirements for replacement; 37

(8) Recurrent conditions; and 38

(9) Definitions of terms. 39

(D) The superintendent shall adopt reasonable rules to 40
establish minimum standards for benefits, claims payment, 41
advertising and marketing practices and compensation 42
arrangements, and reporting practices, for medicare supplement 43
policies and certificates. The superintendent shall not prohibit 44
the following types of solicitation: 45

<u>(1) Print solicitation such as leaflets, flyers, or door</u>	46
<u>hangers left at residences or on motor vehicles;</u>	47
<u>(2) In-person solicitations of individuals at the</u>	48
<u>individual's residence or in public or common areas such as</u>	49
<u>parking lots, hallways, lobbies, or sidewalks;</u>	50
<u>(3) Telephonic or electronic solicitation such as</u>	51
<u>electronic voicemail messages, text messages, or direct social</u>	52
<u>media messages.</u>	53
(E) The superintendent may adopt from time to time such	54
reasonable rules as are necessary to conform medicare supplement	55
policies and certificates to the requirements of federal law and	56
regulations promulgated thereunder, including but not limited	57
to:	58
(1) Requiring refunds or credits if the policies or	59
certificates do not meet loss ratio requirements;	60
(2) Establishing a uniform methodology for calculating and	61
reporting loss ratios;	62
(3) Assuring public access to policies, premiums, and loss	63
ratio information of issuers of medicare supplement insurance;	64
(4) Establishing a process for approving or disapproving	65
policy forms and certificate forms and proposed premium	66
increases;	67
(5) Establishing a policy for holding public hearings	68
prior to approval of premium increases; and	69
(6) Establishing standards for medicare select policies	70
and certificates.	71
(F) The superintendent may adopt reasonable rules that	72

specify prohibited policy provisions not otherwise specifically 73
authorized by any provision in the Revised Code that, in the 74
opinion of the superintendent, are unjust, unfair, or unfairly 75
discriminatory to any person insured or proposed to be insured 76
under a medicare supplement policy or certificate. 77

Section 2. That existing section 3923.332 of the Revised 78
Code is hereby repealed. 79