

As Passed by the House

134th General Assembly

Regular Session

2021-2022

Am. H. B. No. 675

Representative Dean

**Cosponsors: Representatives Brinkman, Carruthers, Gross, John, LaRe, Loychik,
Stephens, Swearingen**

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. 44

(1) The superintendent shall not prohibit the following 45
types of solicitation: 46

(a) Print solicitation such as leaflets, flyers, or door 47
hangers left at residences or on motor vehicles; 48

(b) In-person solicitations of individuals at the 49
individual's residence or in public or common areas such as 50
parking lots, hallways, lobbies, or sidewalks; 51

(c) Telephonic or electronic solicitation such as 52
electronic voicemail messages, text messages, or direct social 53
media messages. 54

(2) The superintendent may prohibit in-person solicitation 55
at nursing homes and residential care facilities. As used in 56
this division, "nursing home" and "residential care facility" 57
have the same meanings as in section 3721.01 of the Revised 58
Code. 59

(E) The superintendent may adopt from time to time such 60
reasonable rules as are necessary to conform medicare supplement 61
policies and certificates to the requirements of federal law and 62
regulations promulgated thereunder, including but not limited 63
to: 64

(1) Requiring refunds or credits if the policies or 65
certificates do not meet loss ratio requirements; 66

(2) Establishing a uniform methodology for calculating and 67
reporting loss ratios; 68

(3) Assuring public access to policies, premiums, and loss 69
ratio information of issuers of medicare supplement insurance; 70

(4) Establishing a process for approving or disapproving 71
policy forms and certificate forms and proposed premium 72

increases;	73
(5) Establishing a policy for holding public hearings prior to approval of premium increases; and	74 75
(6) Establishing standards for medicare select policies and certificates.	76 77
(F) The superintendent may adopt reasonable rules that specify prohibited policy provisions not otherwise specifically authorized by any provision in the Revised Code that, in the opinion of the superintendent, are unjust, unfair, or unfairly discriminatory to any person insured or proposed to be insured under a medicare supplement policy or certificate.	78 79 80 81 82 83
Section 2. That existing section 3923.332 of the Revised Code is hereby repealed.	84 85