

Form Filing Review Checklist
 GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
 HOSPITAL-MEDICAL-SURGICAL

Notice: This document is intended to assist carriers in preparing form and rate filings for Short-Term Limited-duration (STLD) Major Medical, Preferred Provider Organizations, Hospital-Medical-Surgical coverage in the group market for review by the Bureau of Insurance. It provides guidance based on current Virginia laws and regulations in addition to pending legislation.

SERFF filing should be under TOI: H16G Group Health Major Medical, Sub-TOI: H16G.004 Short Term

Short-term Limited-duration insurance coverage means health insurance coverage that has the same meaning as used in 45 C.F.R. § 144.103 except as described in subsection B of § 38.2-3407.21.

<i>Required Disclosures</i>	<i>Federal and/or Virginia Citation</i>	<i>Comments</i>	
<p>Disclosure must be displayed prominently in the contract and in any application materials; At least 14-point type; Sentence case.</p>	<p>45 CFR § 144.103</p>	<p>This coverage is not required to comply with certain federal market requirements for health insurance, principally those contained in the Affordable Care Act. Be sure to check your policy carefully to make sure you are aware of any exclusions or limitations regarding coverage of preexisting conditions or health benefits (such as hospitalization, emergency services, maternity care, preventive care, prescription drugs, and mental health and substance use disorder services). Your policy might also have lifetime and/or annual dollar limits on health benefits. If this coverage expires or you lose eligibility for this coverage, you might have to wait until an open enrollment period to get other health insurance coverage.</p>	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Out-of-State Filing Requirements			
Out-of-State Guidelines		Companies will need to notify Virginia of: 1. The state in which the policy will be issued; and 2. Whether the policy will be issued to a defined or a non-defined group. See list of defined groups under § 38.2-3521.1. This will determine what type of review will need to be made.	
In-State Defined Groups	§ 38.2-3521.1	Defined Groups: Employer, creditor, labor union, multiple employer welfare arrangements, associations and credit unions.	
Out-of-State Defined Groups	§ 38.2-3522.1 B 1	Companies submitting a policy that is issued in another state that has similar laws as Virginia and have made a determination that such requirements have been met are required to file a certification which is signed by an officer of the company having the responsibility for forms compliance. This certification will need to certify that all group insurance coverage marketed to residents of the Commonwealth of Virginia under policies which have not been approved by this Commonwealth will comply with § 38.2-3521.1 or have met the requirements set forth in A 1 thru A 3 of § 38.2-3522.1.	
Out-of-State Non-Defined Groups	§ 38.2-3522.1 B 2	Companies submitting forms that are unable to provide documentation under subdivision 1 above shall be required to file forms consistent with § 38.2-316 of the Code of Virginia. The forms shall be required to be approved as meeting all of the requirements of this title to the forms being offered to residents in Virginia.	
Policies Issued Outside of Virginia	§ 38.2-3523.2	Any group policy issued outside of Virginia that provides coverage for residents in Virginia that do not qualify under § 38.2-3521.1 or § 38.2-3522.1 shall be subject to the requirements of this title and may subject the insurer to penalties available under this title of such requirements.	
General Filing Requirements			
Source of Filing	14 VAC 5-101-40	Filings shall be submitted in SERFF or submitted in writing to the commission. If filed by a third-party, filing authorization must be included.	
Filing Description	14 VAC 5-101-50 C 1	Filing description must include the type of insurance form, including a description of the form and the market for which the form is intended; intentions to concentrate on a specialized market should be noted.	
	14 VAC 5-101-50 C 2	Filing description must include the form number of each form that is being filed.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
	14 VAC 5-101-50 C 3	Filing description must state whether submitted form is new, or if replacing, revising, or modifying a previously approved form and the exact changes that are intended.	
	14 VAC 5-101-50 C 4	Filing description must identify any change in benefits and indicate whether the change affects premium rates for the form.	
	14 VAC 5-101-50 C 5	Filing description must state if approval of a form submitted has been withdrawn by another regulatory body and the reasons for such a withdrawal.	
	14 VAC 5-101-50 F	Any form filed that is to be used with a previously approved form, including an application, shall identify the form number, approval date, and SERFF or state tracking number in the new filing.	
	14 VAC 5-101-50 G	Any amendment, endorsement, or rider that intends to revise a previously approved form shall be accompanied by the previously approved form filed as supporting documentation.	
HELP TIP:		If a form filing is submitted as new in Virginia, but was previously disapproved, withdrawn or rejected in Virginia, please provide details such as the SERFF or State tracking information, form number, and the date that the form filing was disapproved, withdrawn or rejected if available.	
Forms			
Form Number	14 VAC 5-101-60 1	Form Number must appear in the lower left-hand corner of the first page of the form. It shall consist of numbers, letters, or a combination of both. The form number shall distinguish the form from all other forms used by the company.	
Company Name and Address	14 VAC 5-101-60 2	The full licensed name of the company, including the address of the home office, shall appear in prominent print at the top of the cover page of any policy, application, or enrollment form. The full licensed name of the company shall appear in prominent print on all other forms.	
Marketing or logo	14 VAC 5-101-60 3	A marketing name or logo also may be used on the form, provided that the marketing name or logo does not mislead as to the identity of the filing company.	
	14 VAC 5-101-60 4	The cover page of a policy also shall include the address of an office that will administer the policy, if different from the home office, a company telephone number, and company website address.	
Final Form – John Doe	14 VAC 5-101-60 5	Form must be submitted in “final form” and in “John Doe fashion” to indicate its intended use under the Supporting Documentation tab.	
Electronic Version	14 VAC 5-101-60 6	Each form that is to be used in an electronic version shall be filed in a format that matches the electronic version exactly.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Readability	14 VAC 5-101-70 A	Each form submitted for review or approval shall be written in simplified language, logically and clearly arranged, and printed in a legible format and understandable to a person of average intelligence without special insurance knowledge or training.	
	14 VAC 5-101-70 B	A policy of more than three pages shall include a table of contents listing the principal sections and provisions and the pages on which they are found.	
	14 VAC 5-101-70 C	Defined words and terms shall be placed in a separate definition section that is clearly identified, unless only used in one section.	
	14 VAC 5-101-70 D	A policy shall be divided into logically arranged sections with an appropriately named caption or heading for ease in locating desired content. Captions and headings shall be clearly set apart from the general text.	
	14 VAC 5-101-70 E	Any form submitted for review or approval shall be printed in at least 10-point type size.	
	14 VAC 5-101-70 F	Any policy shall achieve a minimum Flesch reading ease score of 50 or an equivalent score using another comparable test, unless otherwise specified by statute, or an exception requested pursuant to 14 VAC 5-101-70 G.	
Variability	14 VAC 5-101-80	Use of variable bracketed information shall be limited. Use of brackets within brackets is not permitted. Each instance of variable text shall appear in brackets on a form and shall be separately and completely explained in detail in a Statement of Variability document. Each explanation of variability shall appear in the same order that it appears on the form. Additional guidance is attached to SERFF General Instructions.	
Certificate of Compliance	14 VAC 5-101-110	Each form filing shall contain a Certificate of Compliance signed by an officer of the company certifying the Flesch reading ease score of at least 50; that a review of the form has been conducted and is consistent and complies with the requirements of Title 38.2 and applicable rules and regulations; and a statement that failure to comply with these requirements will result in disapproval of the filing.	

Form Filing Review Checklist
 GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
 HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
<p>MCHIP Requirements MCHIP requirements apply to policies that include a provider network.</p>		<p>Regarding the plan submitted with this filing, is the provider network consistent with the information previously filed and approved under Section 38.2-5802?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, this filing must include the following:</p> <ol style="list-style-type: none"> 1. A detailed description of the criteria used to determine how a provider is included in the network or allocated to a tier within the network. 2. An explanation as to whether or not the network change or tiered network will result in any material change in the method of operation that is currently on file with the Financial Regulation Division. Pursuant to Administrative Letter 1998-11, any change that increases or decreases, or is likely to increase or decrease a health carrier's revenues, expenses, or net worth in an amount that exceeds 5% of the health carrier's current net worth qualifies as a material change that must receive prior approval from the Financial Regulation Division. 3. A response as to whether or not the Virginia Department of Health (VDH) has determined that the network is adequate. 	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Provider Lists	§ 38.2-5803 A 1	Plan must provide a list of the names and locations of all affiliated providers. Such list may be made available in a form other than a printed document, provided the purchaser or existing enrollee is given the means to request and to receive a printed copy of such list.	
Service Area	§ 38.2-5803 A 2	Description of service area or areas shall be described in the policy.	
Complaints	§ 38.2-5803 A 3	Description of method of resolving complaints. Provide most recent approval date of Complaints and Appeals process from the Bureau of Insurance and Virginia Department of Health. Please attach copies of approvals under Supporting Documentation. Is the language in the submitted forms identical in substance to the approved language?	
Bureau of Insurance & Department of Health Notice	§ 38.2-5803 A 4	Each evidence of coverage (EOC) shall contain a notice: "This Company is subject to regulation in this Commonwealth by the State Corporation Commission Bureau of Insurance pursuant to Title 38.2 and by the Virginia Department of Health pursuant to Title 32.1".	
Ombudsman Notice	§ 38.2-5803 A 5	A prominent notice in the EOC stating: "If you have any questions regarding an appeal or grievance concerning the health care services that you have been provided which have not been satisfactorily addressed by your plan, you may contact the Office of the Managed Care Ombudsman for assistance." Such notice must also include the toll-free telephone number, mailing address and electronic mailing address of the Office of the Managed Care Ombudsman.	
MCHIP Complaint System and Appeals Procedures	14VAC 5-216-10, et al.	Please see separate MCHIP Complaint System Filing/Appeal Procedures Checklist at: mchipcheck.pdf (virginia.gov)	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
External Review Requirements			
Disclosure Requirements	§ 38.2-3570 14VAC5-216-20	Each carrier shall include a description of the external review procedures in or attached to the policy, certificate or evidence of coverage. See statute for requirements.	
General Provisions			
Contents of Policies	§ 38.2-305 A	Each policy/contract shall specify the: (1) The names of the parties to the contract; (2) The subject of the insurance; (3) The risk insured against; (4) The time the insurance takes effect, and the period during which the insurance is to continue; (5) A statement of premium; (6) Conditions pertaining to insurance.	
Important Notice	§ 38.2-305 B	Each new or renewal policy/contract/certificate/evidence of coverage shall be accompanied by an important notice as stated in the statute.	
Limiting Jurisdiction Prohibited	§ 38.2-312 2	Contract may not deprive courts of Virginia jurisdiction in actions against insurer. Arbitration may not be binding.	
Fraud Notice	§ 38.2-316 D 1	Title 38.2 of the Code of Virginia does not define "Insurance Fraud". Any fraud notice that includes the term "insurance fraud" is not in compliance with this section of the Code. In Virginia, a fraud notice relating to life insurance, annuities, accident and sickness, health maintenance organizations, health services plans, credit accident and sickness and credit life insurance should not include references to imprisonment or fines. Variations in a notice warning of consequences of making fraudulent statements will be considered.	
Misrepresentation	§ 38.2-316 D 3	No form shall contain any provision that encourages misrepresentation or is misleading, deceptive or contrary to the public policy.	
Medicaid Eligibility/Status Prohibited	§ 38.2-508.3	When considering eligibility, Medicaid eligibility cannot be a factor, and when determining a claim, Medicaid status cannot be a factor.	
Subrogation	§ 38.2-3405 A	Policy cannot allow subrogation of any person's right to recovery for personal injuries from a third party.	
COB/Liability Coverage Prohibited	§ 38.2-3405 B	No plan shall require a beneficiary to pay back any benefits from the proceeds of a recovery by such beneficiary from any other source. This provision shall not prohibit an exclusion of benefits paid under workers' compensation laws or govt. programs nor shall it prohibit coordination of benefits between insurance contracts.	

Form Filing Review Checklist
 GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
 HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Workers' Compensation Exclusion	§ 38.2-3405 D	Under specified circumstances, issuers shall not exclude coverage for any medical condition whenever benefits payable under workers' compensation are excluded from coverage.	
Preferred Provider or Exclusive Provider Policies or Contracts	§ 38.2-3407	In the group market, a carrier offering exclusive provider policies or contracts must also offer to each group enrollee a policy or contract providing coverage for preferred and non-preferred providers. A notice stating this availability must be approved for use and issued with the group application.	
Calculation of Cost-Sharing Provisions	§ 38.2-3407.3	Coinsurance the member is required to pay must be based upon the amount actually paid or payable to the provider. Statements in EOC or Schedules that refunds, rebates and post-payment adjustments will not be considered in the calculation of coinsurance are prohibited.	
Denial of Certain Prescription Drugs Prohibited	§ 38.2-3407.5	Each EOC must contain language indicating benefits will not be denied for any drug approved by the USFDA to treat: (i) Cancer because the drug has not been approved by the USFDA for that specific type of cancer for which the drug has been prescribed, or (ii) A covered indication if the drug has been approved by the USFDA for at least one indication, if the drug is recognized in standard reference compendia as safe and effective for treatment of that specific type of cancer, or that covered indication, respectively. Does not apply to short-term nonrenewable policies.	
Prescription Contraceptives	§ 38.2-3407.5:1	Plan that contains coverage for prescription drugs must offer coverage for prescribed contraceptive drugs & devices approved by the USFDA. Does not apply to short-term nonrenewable policies.	
Hormonal Contraceptives	§ 38.2-3407.5:2	A plan covering hormonal contraceptives shall cover up to a 12-month supply when dispensed or furnished at one time. Does not apply to short-term nonrenewable policies.	
Denial of Benefits for Certain Prescription Drugs Prohibited	§ 38.2-3407.6:1	Each EOC must contain language indicating benefits will not be denied for any drug approved by USFDA to treat cancer pain because the dosage is in excess of recommended dosage, if prescribed for a patient with intractable cancer pain. Does not apply to short-term nonrenewable policies.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Pharmacy Freedom of Choice	§ 38.2-3407.7	For outpatient prescription drug benefits including specialty drugs , a plan, or its pharmacy benefits manager (PBM) , must allow for freedom of choice of pharmacies, if a non-participating pharmacy or its intermediary agrees in writing to accept reimbursement.	
Ambulance Services	§ 38.2-3407.9	Policies covering ambulance services must provide that the ambulance provider will receive reimbursement from the health carrier when there is an assignment of benefits. A covered person must not be required to obtain prior authorization for ambulance services and must not be directed to use any system other than an emergency 911 system or other state, county or municipal emergency medical system for ambulance services.	
Prescription Drug Formularies	§ 38.2-3407.9:01 B 1, 2, 3	For plans using closed formularies, plan must have a process to allow a medically necessary nonformulary prescription drug if the formulary drug is determined by the insurer to be inappropriate therapy. Requests must be acted on within one business day of receipt. Additional requirements apply to participating and nonparticipating providers and pharmacists.	
Exclusion of Prescription Drug Coverage Prohibited	§ 38.2-3407.9:02	Prescription drugs shall not be excluded from coverage solely on the basis of the length of time since the drug obtained USFDA approval.	
Partial Supply of Prescription Drugs	§ 38.2-3407.9:04 B	Prescriptions dispensed by a network pharmacy for a partial supply of a covered prescription drug, in order to synchronize the enrollee's medications, must be covered at a prorated cost-sharing rate. Such proration may not occur more frequently than annually.	
Step Therapy Protocols	§ 38.2-3407.9:05	A covered person or prescriber may request a step therapy override exception with a determination provided no later than 72 hours after receipt of the request. An expedited exception request must be reviewed with a determination provided no later than 24 hours following the request.	
Provider Continuation – Active Treatment	§ 38.2-3407.10 F 1	Terminated provider may continue to treat enrollee for at least 90 days, if enrollee is under active course of treatment with provider, enrollee requests such continuing care, and provider has not been terminated for cause.	
Provider Continuation – Pregnancy	§ 38.2-3407.10 F 2	Terminated provider may continue to treat enrollee, who has entered 2 nd trimester of pregnancy at the time of a provider's termination, except when provider is terminated for cause. Treatment may continue through postpartum care.	
Provider Continuation – Terminal Illness	§ 38.2-3407.10 F 3	Terminated provider may continue to treat enrollee who is determined to be terminally ill at the time of a provider's termination, except when the provider is terminated for cause. Treatment may continue for duration of enrollee's life for care of terminal illness.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Preauthorization Personnel	§ 38.2-3407.10 L	Where preauthorization is required for treatment, the insurer must have personnel available to provide such authorization when required.	
Reduction of Benefits	§ 38.2-3407.10 M	Carriers shall provide group policyholders written notice of any benefit reductions. Policyholders shall provide enrollees written notice of benefit reductions.	
Access to Obstetricians/ Gynecologists	§ 38.2-3407.11	Policy shall allow direct access to an obstetrician-gynecologist for an annual examination and health services for a female age 13 years or older with a participating provider of such services, without need for prior authorization. Does not apply to short-term nonrenewable policies.	
Access to Specialist – Standing Referrals	§ 38.2-3407.11:1	The plan must permit any enrollee a standing referral as provided in subsection B of this statute. Does not apply to short-term nonrenewable policies.	
Standing Referrals for Cancer Patients	§ 38.2-3407.11:2	The plan must have a procedure in place to permit an enrollee diagnosed with cancer to have standing referral to board-certified physician in pain management or oncologist authorized to provide services. Does not apply to short-term nonrenewable policies.	
Breast Cancer Preexisting Condition Restrictions	§ 38.2-3407.11:3	Coverage must not deny the renewal of, cancel, or exclude benefits because of certain breast cancer factors or due to previous breast cancer if the individual has been breast cancer free for five years or more. Benefits must be provided with durational limits and cost-sharing no less favorable than for physical illness generally. Does not apply to short-term nonrenewable policies.	
Coordination of Benefits: Notice of Primary Coverage	§ 38.2-3407.13:1	COB provision shall be prominent in enrollment materials.	
Claims Paid to Insureds for Services from Non-par Provider	§ 38.2-3407.13:2	The certificate and explanation of benefits must include a notice for the enrollees, for services performed by a nonparticipating provider, informing the enrollee of his or her responsibility to apply the plan payment to the claim from such nonparticipating provider.	
Proton Radiation Therapy Decisions	§ 38.2-3407.14:1	Each policy or contract that provides coverage for cancer therapy shall not hold proton radiation therapy to a higher standard of clinical evidence than for decisions regarding coverage of other types of radiation therapy treatment.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Prescription Insulin Drugs	§ 38.2-3407.15:5	Cost-share for covered prescription insulin drugs cannot exceed \$50 per 30-day supply.	
Obstetrical Care	§ 38.2-3407.16	A policy with obstetrical services shall include benefits that are no less favorable than a physical illness generally.	
Orally Administered Cancer Chemotherapy	§ 38.2-3407.18	Carriers shall include coverage for cancer chemotherapy drugs administered orally and intravenously or by injection and shall provide that the durational limits, deductibles, coinsurance factors and copayments for orally administered cancer chemotherapy drugs shall have consistently applied criteria within the same plan as those for cancer chemotherapy drugs that are administered intravenously or by injection.	
Calculation of Cost-Sharing	§ 38.2-3407.20	Cost-share amounts paid by an enrollee or on behalf of an enrollee shall count toward any out-of-pocket maximum or cost-sharing requirements, to the extent allowed by federal law and regulation	
Short-Term Limited-Duration (STLD) Medical Plans	§ 38.2-3407.21	A carrier shall not issue, reissue or extend any STLD plan with a duration <u>that exceeds 3 months</u> . Additionally, no STLD plan can be renewed or extended if such renewal or extension would result in coverage being effective <u>for more than 6 months</u> .	
STLD Medical Plan Application/Enrollment Form	§ 38.2-3407.21 B	An application/enrollment form shall include an inquiry as to whether the applicant had any prior STLD coverage in the last 12 months. An applicant cannot have coverage for more than 6 months in any 12-month period.	
Reimbursement for Certain Practitioners	§ 38.2-3408	Reimbursement for service that may be legally performed by a person licensed in this Commonwealth shall not be denied because the service is rendered by the licensed practitioner. (See list of practitioners)	
Handicapped Children	§ 38.2-3409	Dependent children who are incapable of self-sustaining employment by reason of intellectual disability or physical handicap and who are chiefly dependent on the insured for support and maintenance shall be covered beyond the specified age.	
Newborn Children	§ 38.2-3411	Plan shall provide newborn coverage from the moment of birth. Coverage must be the same as for the insured including congenital defects and birth abnormalities. Must notify insurer within 31 days of birth for coverage to continue.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Child Health Supervision Services	§ 38.2-3411.1	Offer and make available coverage for periodic review of a child's physical and emotional status, to include history, physical examination, developmental assessment, anticipatory guidance, immunizations, and laboratory tests. Reviews are scheduled at interval ages from birth to age 6. See entire statute for exceptions. Does not apply to short-term nonrenewable policies.	
Adopted Children	§ 38.2-3411.2	Any insurance benefits applicable for children under the policy shall be payable with respect to adopted children from the date of adoptive or parental placement with insured for the purpose of adoption.	
Childhood Immunizations	§ 38.2-3411.3	Coverage shall include routine and necessary immunizations against diphtheria, pertussis, tetanus, polio, hepatitis B, measles, mumps, rubella, and other such immunizations prescribed by the Commissioner of Health. Coverage applies to children from birth to 36 months of age. Does not apply to short-term nonrenewable policies.	
Coverage for Infant Hearing Screening and Audiological Examinations	§ 38.2-3411.4	Coverage shall include routine and necessary immunizations against diphtheria, pertussis, tetanus, polio, hepatitis B, measles, mumps, rubella, and other such immunizations prescribed by the Commissioner of Health. Coverage applies to children from birth to 36 months of age. Does not apply to short-term nonrenewable policies.	
Optional Coverage for Obstetrical Services	§ 38.2-3414	Policies shall provide coverage for obstetrical services as an option available to the group policyholder. Deductible and coinsurance factors shall be no less favorable than for physical illness.	
Postpartum Services	§ 38.2-3414.1	Plan providing obstetrical services must have coverage for postpartum services as provided in subsection B of this statute.	
Exclusion or Reduction of Benefits	§ 38.2-3415	No plan shall reduce or exclude any benefits because benefits have been payable under any individual policy.	
Coverage for Victims of Rape/Incest	§ 38.2-3418	Policies or contracts which provide benefits as a result of an accident shall be construed to include benefits for pregnancy following an act of rape of an insured or subscriber.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Mammograms	§ 38.2-3418.1	Coverage shall be included for one mammogram to persons age 35 through 39, one mammogram biennially to persons age 40 through 49 and one mammogram annually to persons age 50 and over. Does not apply to short-term nonrenewable policies.	
Pap Smears/Gynecologic Cytology Screening	§ 38.2-3418.1:2	Coverage shall be included for an annual pap smear and gynecologic cytology screening technologies. Does not apply to short-term nonrenewable policies.	
Bones/Joints Coverage, TMJ Procedures	§ 38.2-3418.2 A	Coverage shall not exclude or impose limits on treatment involving any bone or joint of the head, neck, face, or jaw which are more restrictive than limits applicable to other bones or joints of the skeletal structure based on certain conditions. Does not apply to short-term nonrenewable policies.	
Hemophilia and Congenital Bleeding Disorders	§ 38.2-3418.3 C	Policy shall provide coverage for hemophilia and congenital bleeding disorders. Benefits must include treatment of routine bleeding episodes, purchase of blood products and blood infusion equipment for home treatment. Does not apply to short-term nonrenewable policies.	
Reconstructive Breast Surgery	§ 38.2-3418.4	Policy shall provide coverage for reconstructive breast surgery as outlined in this section coincident with or following a mastectomy, or following a mastectomy to reestablish symmetry between the two breasts. Does not apply to short-term nonrenewable policies.	
Early Intervention	§ 38.2-3418.5	Policy shall provide coverage for medically necessary early intervention services which includes speech and language therapy, occupational therapy, physical therapy and assistive technology services and devices for certain dependents. Does not apply to short-term nonrenewable policies.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Minimum Hospital Stay for Mastectomy/Lymph Node Dissection Patients	§ 38.2-3418.6	Coverage shall be provided for a minimum inpatient hospital stay of not less than 48 hours following a radical or modified mastectomy and not less than 24 hours of inpatient care following a total mastectomy or partial mastectomy with lymph node dissection for the treatment of breast cancer. Does not apply to short-term nonrenewable policies.	
PSA Testing	§ 38.2-3418.7	Coverage shall be provided for one PSA test in a 12-month period and digital rectal examinations for persons age 50 and over or age 40 if at high risk for prostate cancer. Does not apply to short-term nonrenewable policies.	
Colorectal Cancer Screening	§ 38.2-3418.7:1	Each policy shall provide coverage for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances, radiologic imaging. Does not apply to short-term nonrenewable policies.	
Clinical Trials for Treatment Studies on Cancer	§ 38.2-3418.8	Each policy shall provide coverage for participation in an approved clinical trial for treatment studies on cancer and cover routine patients costs for items and services in connection with a participation in the trial. Does not apply to short-term nonrenewable policies.	
Minimum Hospital Stay for Hysterectomy	§ 38.2-3418.9 B	Each policy shall provide coverage for a laparoscopy-assisted vaginal hysterectomy including a minimum stay in a hospital of not less than 23 hours and coverage for a vaginal hysterectomy including a minimum stay in a hospital or not less than 48 hours as provided in this section.	
Diabetes Coverage	§ 38.2-3418.10 B	Each policy shall provide coverage for equipment, supplies and in-person outpatient self-management training and education, including medical nutrition therapy, for treatment of diabetes as specified this section.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Hospice Care	§ 38.2-3418.11	Each policy shall provide coverage for hospice services including palliative and supportive physical, psychological, psychosocial and other health services to individuals with a terminal illness whose prognosis is death within 6 months and who elects to receive palliative care instead of curative care. Coverage for hospice services may be extended to include care when it cannot be demonstrated that the illness is terminal or for individuals with life expectancies of longer than six months. Does not apply to short-term nonrenewable policies.	
Dental Procedures – Hospital Stay/Anesthesia	§ 38.2-3418.12 A	Coverage shall be provided for medically necessary general anesthesia and hospitalization or facility charges to provide outpatient surgical procedures for dental care. This may include general anesthesia and admission to a hospital or outpatient surgery facility to effectively and safely provide dental care for persons: (1) Under age 5, or (2) Severely disabled, or (3) Has a medical condition which requires a hospital or outpatient surgery facility and general anesthesia for dental care treatment.	
Lymphedema	§ 38.2-3418.14 B	Coverage shall be provided for equipment, supplies, complex decongestive therapy, outpatient self-management training and education.	
Prosthetic Devices and Components	§ 38.2-3418.15 A	Each policy shall offer and make available coverage for the health care services for medically necessary prosthetic devices, their repair, fitting, replacement and components. A covered person’s coinsurance for in-network prosthetic devices must not be in excess of 30%.	
Telemedicine Services	§ 38.2-3418.16	Coverage shall be provided for the cost for such health care services that are provided through telemedicine services.	
Patient Access to Emergency Services	PHSA § 2719A (45 CFR § 147.138) § 38.2-3445 14VAC5-211-160 A 5	Plans must cover in and out-of-area emergency services, including ambulance services available 24 hours a day, 7 days a week. Plans must cover emergency services. Such coverage must be provided regardless of the final diagnosis and without requirements for prior authorization or any requirement that service be provided by a participating provider. Cost-sharing (copay and coinsurance amounts) must not differ from the in-network level. Any cost-sharing for out-of-network emergency services will apply to the in-network deductible and maximum out-of-pocket.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Balance Billing for Out-of-network Providers	§ 38.2-3445.01	<p>Out-of-network provider shall not balance bill an enrollee for;</p> <ul style="list-style-type: none"> • emergency services provided to an enrollee or • nonemergency services provided to an enrollee at an in-network facility if the nonemergency services involve surgical or ancillary services provided by an out-of-network provider. <p>An enrollee that receives services described above is required only to pay the in-network cost-sharing requirement specified in the enrollee's or applicable group health plan contract. The enrollee's obligation shall be determined using the carrier's median in-network contracted rate for the same or similar service in the same or similar geographical area. The carrier shall provide an explanation of benefits to the enrollee and the out-of-network provider that reflects the cost-sharing requirement determined under this subsection. The obligation of an enrollee in a health benefit plan that uses no median in-network contracted rate for the services provided shall be determined as provided in § 38.2-3407.3.</p>	
Coverage for Dependents	§ 38.2-3525 E	<p>Coverage for dependent student on medically necessary leave of absence: Issuer cannot terminate coverage due to a medically necessary leave of absence before:</p> <ul style="list-style-type: none"> • The date that is 1 year after the first day of the leave; or • The date on which coverage would otherwise terminate under the terms of the coverage. 	
Grace Period	§ 38.2-3527	The provision defines the grace period.	
Incontestability	§ 38.2-3528	Each policy shall contain a provision that the validity of the policy shall not be contested after it has been in force for 2 years from date of issue, except for non-payment of premiums. No statement made by the person shall be used in contesting the validity after the insurance has been in force prior to the contest for a period for 2 years and unless the statement is contained in a written statement signed by him.	
Entire Contract	§ 38.2-3529	Each policy shall contain a provision that the policy, any application of the policyowner, and any individual applications of the persons insured shall constitute the entire contract. It shall state that a copy of the application of the policyowner shall be attached to policy when issued, that all statements made by the policyowner and insureds shall be deemed representations and not warranties and that no written statement made by any person insured shall be used in any contest unless a copy of the statement is furnished to the person, his beneficiary or personal representative.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Review Requirements	Federal and/or Virginia Citation	Comments	Page No.
Evidence of Insurability	§ 38.2-3530	Each policy shall contain a provision setting form any conditions under which the insurer reserves the right to require evidence of individual insurability.	
Misstatement of Age	§ 38.2-3532	Each policy shall contain a provision that an equitable adjustment of premiums, benefits, or both, shall be made if the age of a person insured has been misstated.	
Individual Certificate	§ 38.2-3533	Each policy shall contain a provision that the insurer will issue to the policyholder for delivery to each person insured a certificate of insurance.	
Notice of Claim	§ 38.2-3534	Each policy shall contain a provision that written notice of a claim shall be given to the insurer within 20 days after the occurrence or commencement of any loss covered by the policy.	
Claim Forms	§ 38.2-3535	Each policy shall contain a provision that the insurer shall furnish forms for filing proof of loss within 15 days after the insurer has received notice of any claim.	
Proof of Loss	§ 38.2-3536	Each policy shall contain a provision that written proof of loss shall be furnished to the insurer within 90 days after the date of loss.	
Time of Payment of Claims	§ 38.2-3537	Each policy shall contain a provision that all benefits payable under the policy other than benefits for a loss of time shall be payable within 60 days after receipt of proof of loss.	
Payment of Benefits	§ 38.2-3538	Each policy shall contain a provision that benefits for loss of life of the person insured shall be payable to the beneficiary designated by the person insured. If policy contains family status conditions, beneficiary may be the family member specified by the policy.	
Physical Examinations/ Autopsy	§ 38.2-3539	Each policy shall contain a provision that the insurer shall have the right to examine the person for whom a claim is made, when and as often as it may reasonably require during the pendency of the claim or make an autopsy where it is not prohibited by law.	
Legal Actions	§ 38.2-3540	Each policy shall a provision that no action at law or inequity shall be brought to recover on a policy within 60 days after proof of loss has been filed in accordance with policy requirements and that no such action shall be brought after the expiration of 3 years from the time that proof of loss was required to be filed.	
Continuation	§ 38.2-3541	Each policy shall contain a provision that provides for continuation of coverage. Please readthis section of the Code for complete details of continuation requirements.	
Rates			
	14VAC5-130-60 A 14VAC5-130-60 B 14VAC5-130-65 Please see separate Rate Review Requirements Checklist	Rates associated with STLD insurance coverage offered to an association shall be filed with and approved by the Bureau in accordance with § 38.2-316.1 of the Code. The regulation specifies rate filing and actuarial memorandum requirements.	

Form Filing Review Checklist
GROUP ASSOCIATION SHORT-TERM LIMITED-DURATION MAJOR MEDICAL, PREFERRED PROVIDER ORGANIZATIONS,
HOSPITAL-MEDICAL-SURGICAL

Access to Administrative Letters, Administrative Orders, Regulations and Laws is available at:
[Virginia SCC - Administration of Insurance Regulation in Virginia](#)

I hereby certify that I have reviewed the attached group association short-term limited-duration major medical, preferred provider organizations, hospital-medical-surgical filing and determined that it is in compliance with the group association short-term limited-duration major medical, preferred provider organizations, hospital-medical-surgical checklist.

Signed: _____

Name (please print): _____

Company Name: _____

Date: _____ Phone No: () _____ FAX No: () _____

E-Mail Address: _____