

**Discount Medical Plan/Prescription Drug
DOI Telephone Survey**

Important Note: The purpose of this chart is to provide a brief summary of the following states positions regarding Discount Medical Plans and or Discount Prescription Drug Plans. Specifically it illustrates whether the state recognizes such an arrangement; and how it regulates it, if at all. The chart also includes applicable citations and other information provided by each Department during a telephone/email survey.

<u>STATE CONTACT NAME PHONE NUMBER</u>	<u>Does the state regulate DMPO /RX CARD? * (YES OR No)</u>	<u>If Yes, how?</u> <ul style="list-style-type: none"> • Consumer Regs? • Fraud Regulations? • Advertising Regs? • Insurance Regs? • Combo? 	<u>Are Discount R Drug Card programs regulated differently than Discount Medical Plans? If yes how?</u>	<u>Has the state Adopted the NAIC Model regulation for DMPO /RX CARD?</u>	<u>Applicable Citations, Other State Information</u>	<u>Licensing or Registration requirements?</u>	<u>Minimum Capital Requirements and or Surety Bond/Deposit requirements</u>	<u>Charges/Fees, Refunds, Bundling of Services</u>	<u>Charge and Form Filing Requirement s/ PPO Agreements</u>	<u>Marketing Restrictions/ requirements</u>
NAIC Model Bill			Model Bill includes regulation of discount prescription drug programs as option		DISCOUNT MEDICAL PLAN ORGANIZATION MODEL ACT	Bill provides for two options – either licensing or registration. For licensing, person operating DMPO must obtain license. An entity other than a person must be authorized to transact business in state and be licensed, application process included in law. For registration, must obtain certificate of registration, be authorized to transact business in state. Either case – establish Internet website containing up-to-date list of names and addresses of providers in network	Minimum capital requirements - net worth of \$150,000 (optional provision) surety bond/deposit \$35,000 to be used in the discretion of commissioner to protect financial interest of members	Plan may charge period charge & one-time fee. If member cancels w/n 30 days, may receive refund of periodic charge & any one-time fee that exceeds [\$30]. 2 options for bundling. (1) for states that want the DMPO to file charges and forms and (2) (2) is for those that will not require filing.	For states that want to require DMPO to file charges and forms, two options: 1. for approval – file all forms and charges with commissioner for prior approval, 60 day deemer unless commissioner objects 2. for information – file list of all forms prior to use	DMPO may market directly or contract with other marketers. Must have written agreement with marketer, shall prohibit marketer from using advertising or marketing materials that it has not approved in writing. DMPO is responsible for all marketing materials. Commissioner may request marketing material.

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NAIC Model (Continued)								Opt1 – if sold with other products, charges for each discount plan shall be provided in writing to the member. Opt 2 - if sold with other products, charges for each discount plan shall be provided in writing to the member or reimburse the member for all periodic charges for the discount medical plan . all periodic charges for any other product if the member cancels his membership within 30 days. This section does not apply a health insurance company that provides a discount product that is incidental to insurance product	DMPO must have written agreement with all providers providing medical or ancillary services to its members. Agreement shall provide list of services provided at discount, amount of discounts or fee schedule that reflects discounted rates, and that provider will not charge more than the discounted rates.	Marketing materials must be truthful and not deceptive, may not use reference to insurance or other insurance terms like guaranteed issue or pre-existing condition, may not restrict access to services. Must clearly disclose that it is not insurance. Each member gets written document that fully describes the plan, any limitations, waiting periods, and benefits, cancellation procedures, renewal conditions, complaint procedures, and name and address of DMPO
ALABAMA	No	Not considered insurance Had a consumer Alert on Web Site at one time	N/A	N/A		No	N/A	N/A	N/A	N/A
ALASKA	Yes	Not considered insurance Trade Practices and Fraud Advertising	No –included In state def Of Health Discount Plan	No	AS 21.36.155 AS 21.36.030 AS 21.90.900 Bulletin 05-08	No	No	Full refund required w/in 30 days	No	N/A

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ARIZONA	No	Not considered insurance unless they cross over and transact insurance Regulate via Attorney General Office if receive a DOI compliant Consumer Alert on website Press Release RE Phony Health Plan	No	N/A	No	N/A	N/A	N/A	N/A	N/A
ARKANSAS	Yes	Public Protection Department Via Attorney General Office Not insurance	No	N/A	N/A	N/A	N/A	N/A	N/A	Web Site Alert from AG Office- 4/28/08 Cited: "Arkansas law requires the sellers of these products to execute contracts with each medical provider who is listed as participating in the plan." "Arkansas law gives consumers a 30 day right to cancel a health discount card without penalty."
CALIFORNIA	No	Not insurance	No	No	N/A	N/A	N/A	N/A	N/A	Web Site Alert- Not insurance

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COLORADO 303-894-7499	Yes	Not Insurance Consumer Protection area	No	No	N/A	N/A	N/A	N/A	N/A	Discount Health Plans and Medical Cards must disclose, when marketing, that the plans are not insurance. The Plan Administrator's name, address and telephone number must be provided. The provider listing must be updated semi-annually and made available upon request through a toll-free number. Discount Health Plans and Discount Medical Card Plans must provide a full refund if the consumer cancels within 30 days of purchase
CONNECTICUT	Yes	Insurance Law 38a-479qq Eff 10/1/2008	Yes- they need to be registered a Pharmacy Benefit Mgr vs. licensced- a one time process.	Not officially But a close version of it	38a-479qq HB 5157 Bull HC-72	License	Maintain a network of \$250K or post a surety bond of \$100K	N/A	Yes	Similar to NAIC Model
DELAWARE	Yes	Insurance Law SB 58	No	Not officially But a close version of it	SB 58	Yes- License	surety bond/deposit \$50,000 to be used in the discretion of commissioner to protect financial interest of members	Similar to NAIC Model	Yes	Similar to NAIC Model
DISTRICT OF COLUMBIA	No	Not insurance	No	No	N/A	N/A	N/A	N/A	N/A	Consumer Alert on Web

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FLORIDA	Yes-DMPO No -RX card	Insurance Code and combination still not considered insurance.	Not regulated	Not officially But a close version of it	636.202 690.203	License	Maintain a network of \$150,000	Similar to NAIC Model Option1	Yes	Similar to NAIC Model
GEORGIA	Yes	Georgia Fair Business Practices Act. Not insurance	No	No	N/A	N/A	N/A	N/A	N/A	N/A
HAWAII	No	Not insurance	No	No	N/A	No	N/A	N/A	N/A	N/A
IDAHO	Yes	AGO's office via Consumer Trade Practices Cash Discount Card Act	No	No	IDAPA 48-1602 IDAPA04.02.01 AGO Website	N/A	N/A	N/A	N/A	N/A
ILLINOIS	Yes	Not insurance. However IL General Assembly has determined that a preferred provider program administrator (PPA) includes health care discount plans (medical and pharmaceutical); comply with same rules. DOI has determined that the business of establishing a DMPA and marketing in IL is statutorily defined as the business of insurance and under the jurisdiction of the insurance department	No	No	215 ILCS 5/370f, jurisdiction imbedded in other laws and no specific DMPO laws; IL Adm Code 50 IAC 2051	As PPA, must pay registration fee and provide DOI with information on officers, directors, corporate structure, network, service area and number of IL members	Not required if DMPO is not assuming risk	If bundled with insurance or association membership benefits and the DMPO is private labeled then the insu and or association must register. If the DMPO is leasing other PPA networks access to the providers is Via the	Follow PPA requirements	Insurers expected to conduct due diligence to ensure networks have obtained appropriate authority by registering with the DOI

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INDIANA	Yes	Insurance Unfair Practices	No	No Have Own version	27-17-1-1	Registration procedure- no required for individual providers or subsidiaries	No but \$500 filing fee	N/A	N/A	Must file marketing material for prior approval
IOWA	NO	N/A	No	No	Bull 08-13 it is considered a reb, if offering a disco card for free with value of more tha \$5.00	No	N/A	N/A	N/A	Bull 08-13 example :it is considered a rebate if offering a discount card for free with a value of more than \$5.00
KANSAS	Yes	Limited regulation, company selling discount program must be licensed or registered with KS Secretary of State; KS has issued a number of bulletins through its consumer fraud division warning buyers of red flags and potential pitfalls	No	No	No	Normal corporate licensing requirement through secretary of state	N/A	N/A	N/A	Series of bulletins warning buyers what to look for to ensure purchasing legitimate and worthwhile plan Alert and Brochure on website
KENTUCKY	Yes	Consumer Protection Not considered insurance unless there is a transfer of risk	No	No	367.828 Advisory Opinion 98-3	No	N/A	N/A	N/A	Must clearly state in all materials the discounts are not insurance
LOUISIANA	Yes	Insurance	No	No but Something similar	SB 154 RS 22:2037.1	Registration	None	Plan may charge period charge & one-time fee. If member cancels w/n 30 days, may receive refund of periodic charge & any one-time fee that exceeds [\$30].	N/A	Similar to NAIC Model

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MAINE	No	Consumer Protection Not insurance	No	No	N/A	N/A	N/A	N/A	N/A	None
MARYLAND	Yes	Via DOI but Not as Insurance	No- both Need to register	No	14-601	Registration	No \$250 registration fee	N/A	N/A	Similar to NAIC Model Various consumer alerts and info on
MASSACHUSETTS	No	Not regulated as insurance	N/A	No	940 CMR 3.00	N/A	N/A	N/A	N/A	Subject to General Requirements of Deceptive trade practices
MICHIGAN	No	Not regulated as insurance	N/A	No	N/A	N/A	N/A	N/A	N/A	Consumer Brochure and NAIC Alert on website
MINNESOTA John 651-296-8218	No	Not regulated as insurance but by Misleading and Fraudulent Practices	Not regulated	No	2 Alerts / Consumer Notice on WebSite	N/A	N/A	N/A	N/A	Consumer Response Team
MISSISSIPPI	Yes	Insurance	RX not regulated	No	83-64-1	None	N/A	Right to cancel w/in 30 days with full refund (less nominal processing fee)	No	See 83-64-1 with respect to advertising, and provider contract guidelines

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MISSOURI	Yes, discount med plans;	Not insurance, must disclose that is not insurance, however regulated through Title XXIV, Life, Health, and Accident Insurance	RX not regulated	Yes, variation. Registration requirements not as extensive, no capital requirements, grounds for disapproval not specified, no filing requirements, no provider listing required to be provided to state.	376.1502, 376.1506 – 376.1530	Registration			Information on website but minimal and hard to find. Just an alert to be wary of these plans and to confirm that not insurance. Warning in consumer health section of website.	
MONTANA	Yes both, regulate together	Not insurance, regulated under insurance fraud and remedies laws.	No	No	33-1-(1301-1303), 33-1-318					
NEBRASKA	YES	INSURANCE LAWS	YES – Not regulated	No – New law very similar to NAIC Model except does not mention pharmacy car	LB 855	YES – A Discount Medical Plan Organization (DMPO) must Register annually; Initial DMPO fee \$500; renewal fee \$300.00. An insurer acting as a DMPO does not have to register. Associations using a DMPO do not have to register.	No NE	No NE	No NE	Must abide by advertising rules; must clearly identify benefits that are provided under a discount card and those provided under an insurance policy.

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NEVADA	YES	INSURANCE LAWS	YES – Not regulated	Yes – with exceptions	695H	YES – Registration fee is \$500; Renewal fee is \$500.	No NE	No NE	No NE	May not use in any advertising the terms: "coverage, co-pay, pre-existing conditions, guaranteed issue, PPO, or any other term that may mislead a person into believing this is a policy of insurance.
NEW HAMPSHIRE	No but see comments in fraud and advertising	Regulated through fraud area and through advertising rules; with regard to insurer partnering with DMPO, department recommends carrier ensure value added, ensure does not run into rebate requirements, regulate with oversight required of insurance entity	No	No but will study further in 2009	No	1/1/2009, all entities selling in NH have to be licensed				
NEW JERSEY	No	N/A	No	No	N/A	No	No NE	No NE	No NE	No NE

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NEW MEXICO	No	N/A	No	No	N/A	No NE	No NE	No NE	No NE	No NE

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NEW YORK	NY does not have Regulations in place but see comments in next column	DMPO's and drug plans should be reviewed on a case by case basis to determine whether the plan is doing the business of insurance under 1101 and if the entity should be licensed to do insurance under 1102. If the case is made that it is insurance based on covering a "fortuitous risk", then the insurance laws apply. If not insurance, the insurance laws do not apply. If the discount is part of an insurance policy, then it is insurance and needs to comply with all insurance laws. There are a couple of opinions by the Office of General Counsel related to these types of program. The department recommends that a medical or drug discount plan get a formal opinion from the Office of General Counsel to determine whether it is in the business of insurance or not. Regarding promotional discounts that are part of an insurance program, there must be a nexus to accident and health insurance and the discount must be disclosed in the policy. An example of a "nexus" is a gym membership which could be tied to a wellness benefit.		No	Business of insurance 1101 and licensing 1102	No	No	No		

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NORTH CAROLINA	No	No	NA-Consumer Bulletin Only logs complaints – refers to Atty. General	No	No	No	No	No	No	No
NORTH DAKOTA	YES-Medical Plan only	Yes through insurance laws and advertising	NA	No	26.1-53-01	No	No	If market discount plan with insurance products, must clearly disclose that the medical discount plan is not insurance; member may cancel at any time. If cancel within first 30 days, must provide full refund except for nominal fee for enrollment expenses up to \$50; DMPO must provide written notice of cancellation rights within 10 business days of purchase	No filing requirements but there must be a written agreement between DMPO and all providers offering medical services at discount; PPO must maintain up to date list of contracted providers, DMPO shall maintain copies of each active agreement and provide to Commissioner upon request	Advertising may not call product “insurance” nor may it use insurance terms such as premium, co-pay, pre-existing condition, that may lead a person to believe that this insurance. DMPO may not pay fees for medical services unless an authorized TPA; must disclose that member must pay for services but will receive discount, all marketing must be approved by the DMPO and the marketer must have an executed agreement with DMPO to market plan
OHIO	YES-Medical Plan only	Ohio CH. 3961 (eff. 3/07) Combo-consumer/fraud/ Advertising	NA	Modified sec 9,11,12,13 &	Ch. 3961	YES-register w/Sec of State’s office	No	No	Provider Agreements Disclosures	Marketers must have Signed agreement Misleading/deceptive ads prohibited

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OREGON	Yes, Medical Plans only	Licensing conducted by Insurance Division, Department of Consumer and Business Services. Law contained within insurance code but per ORS 742.432(4)(a) is not insurance. Law gives DCBS power to investigate (742.436), suspend or revoke license (742.438). Attorney General at request of DCBS may bring action in circuit court against a person allegedly operating without license.	NA	very different from model; a focus is on the financial viability of the plans, imposes standards and prohibited activities; must become a licensed entity in OR before can transact business	Regulates through Department of Consumer and Business Services	Must be licensed to operate as DMPO; must show financial viability by providing Form 1040, Form 1120, Form 1120S, Form 1065 or any appropriate form filed for federal income tax purposes; file NAIC biographical affidavit for key people		May retain one-time processing fee of not more than \$30 when the DMPO refunds fees, service or subscription charges, dues, or other consideration paid by member who cancels plan	List of providers included in network that provide services in OR or internet address of list of providers	30 day review period for full refund except one-time processing fee, provide member with standard set of procedures whereby member may receive refund, provide to each member toll-free number and internet address for assistance, disclose on each brochure or marketing material in 12 point type that this is not insurance and that members must pay for all medical services but will receive discount; advertising must be filed at request of commissioner
OKLAHOMA	YES-Medical	OK 36 s 1219.4 365:10-23(1)(2)(4)	NA	Yes	OK 36 s 1219.4 365:10-23(1)(2) (4)	Yes-Registration Application valid For 1 yr \$250 fee Affiliate fee -\$100	Surety Bond-\$35,000 Net Worth – \$150,000	No	Provider Lists/websites	All advertising must be Filed for approval
PENNSYLVANIA	No	NA	No	No	NA	No	No	No	None	None
RHODE ISLAND	No	NA	NA	No	No	No	No	No	NA	NA

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SOUTH CAROLINA	YES	Title 37, Chapter 17	No – 37-17-30 Consumer Protection Code		Title 37, Chapter 17	Yes as outlined in 37-17-40				Yes as outlined in 37-17-30
SOUTH DAKOTA	YES	Insurance Regs	No	Yes	Title 58-17E	YES	Yes-Surety Bond not less than 20,000. See 58-17,21,22	57-17 E	57-17E	57-17E-33-39
TENNESSEE	Yes-Prescription Drug Plans	Combo-Insurance Code & Consumer Regs.	No Discount Med Regs. Insurance Code for RX only	No	56-57-102 to 56-57-106 Title 47,Ch 18, Part 27	Yes as outlined in 56-57-103	No NE	No NE	No NE	Yes as outlined in 56-57-104
TEXAS	Through TDLR	Texas Department of Licensing and Regulation: TDLR	N/A	No	N/A	YES	N/A	N/A	N/A	N/A

**Discount Medical Plan/Prescription Drug
DOI Telephone Survey**

<u>STATE CONTACT NAME PHONE NUMBER</u>	<u>Does the state regulate DMPO /RX CARD?*</u> (YES OR No)	<u>If Yes, how?</u> <ul style="list-style-type: none"> • Consumer Regs? • Fraud Regulations? • Advertising Regs? • Insurance Regs? • Combo? 	<u>Are Discount R Drug Card programs regulated differently than Discount Medical Plans? If yes how?</u>	<u>Has the state Adopted the NAIC Model regulation for DMPO /RX CARD?</u>	<u>Applicable Citations, Other State Information</u>	<u>Licensing or Registration requirements?</u>	<u>Minimum Capital Requirements and or Surety Bond/Deposit requirements</u>	<u>Charges/Fees, Refunds, Bundling of Services</u>	<u>Charge and Form Filing Requirement s/ PPO Agreements</u>	<u>Marketing Restrictions/ requirements</u>
UTAH	YES-Medical Plan only	YES – Health Discount Program Consumer Protection Act	NA	Yes, with State variations	31A-8a-101, 31A-8a-201- 31A-8a-209	YES – Licensing	No NE	May charge a non- refundable one-time enrollment charge and a refundable periodic fee.	Must file contract forms, marketing plan and dispute resolution procedures.	Yes as outlined in 31A-8a-204: In addition to requirements in model, disclosures must be in 10 pt type and bolded, cannot use words that may confuse with health ins., cannot refer to sales reps as agents, producers or consultants, must indicate discounts only provides at certain health care providers, program holder is obligated to pay for all health care services, corporate name and location of health discount program operator must be included, must include fees separately.
VERMONT	No	N/A	No	No	N/A	No	No NE	No NE	No NE	No NE
VIRGINIA	No	N/A	No	No	N/A	No	No NE	No NE	No NE	No NE
WASHINGTON	No	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

**Discount Medical Plan/Prescription Drug
DOI Telephone Survey**

<u>STATE CONTACT NAME PHONE NUMBER</u>	<u>Does the state regulate DMPO /RX CARD?*</u> (YES OR No)	<u>If Yes, how?</u> <ul style="list-style-type: none"> • Consumer Regs? • Fraud Regulations? • Advertising Regs? • Insurance Regs? • Combo? 	<u>Are Discount R Drug Card programs regulated differently than Discount Medical Plans? If yes how?</u>	<u>Has the state Adopted the NAIC Model regulation for DMPO /RX CARD?</u>	<u>Applicable Citations, Other State Information</u>	<u>Licensing or Registration requirements?</u>	<u>Minimum Capital Requirements and or Surety Bond/Deposit requirements</u>	<u>Charges/Fees, Refunds, Bundling of Services</u>	<u>Charge and Form Filing Requirement s/ PPO Agreements</u>	<u>Marketing Restrictions/ requirements</u>
WEST VIRGINIA	YES	33-15E-1	No	YES WITH STATE VARIATIONS	33-15E-1	YES	YES – Required for licensing and annual review. The person seeking to operate a medical discount plan must demonstrate a positive net worth of at least \$150K. (Same amount as NAIC model bill) Each organization shall maintain a positive net worth of at least \$150K. (Same amount as NAIC model bill) and maintain a surety bond of at least \$150K. (NAIC model bill is \$35K)	NA	NA	Almost identical to NAIC model. NAIC model has additional statement that upon request, the organization shall submit all marketing material to the commissioner.
WISCONSIN	No		No	No	N/A	No	No	No	No	May not use in any advertising the terms: "coverage, co-pay, pre-existing conditions, guaranteed issue, PPO, or any other term that may mislead a person into believing this is a policy of insurance.
WYOMING	No	NA	No	No	N/A	No NE	No NE	No NE	No NE	No NE

**Discount Medical Plan/Prescription Drug
DOI Telephone Survey**

*** Does the state regulate DMPO /RX CARD?** This column is intended to reflect if a state has any government agency which assumes jurisdiction over DMPO regardless if there is any specific regulation in place.

The purpose of this chart is to provide a brief summary of the following states' position regarding Discount Medical Plans and or Discount Prescription Drug plans. Specifically, it illustrates whether the state recognizes such an arrangement; and how it regulates it, if at all. The chart also includes applicable citations and other information provided by the Department.

DOI Positions on Associations that offer programs to Members:

AZ: Primary concern is if the program being offered to association members or even individuals has combined the DMPO card with an insurance product- a transfer of risk of any kind that would cross over to transacting insurance.

AR: DOI stated they require Associations to be approved when filing insurance products. If no insurance product is involved with the DMPO offering then no filing would be required.

CT: DOI stated it the entity that is going to be selling the DMPO must be licensed so it depends on who is acting as the DMPO as to whether the Association must be licensed. [i.e. Be careful of private labeling.]

DC: Associations should have a disclaimer that they are not underwritten by an insurance company & benefits provided to members are not an insurance plan. The DOI expects the organization is responsible for being in good standing with the DCRA

FL: If the Association buys access from a licensed DMPO and the fee has not changed from what was filed and approved, they can collect the fee without having to be licensed as a DMPO. If the Association "resells" the DMPO to the member then they would be subject to the DMPO licensing requirements. If the Association is giving away free of charge the DMPO benefits to members they are exempt from most of the licensing requirements but would need some references or changes made to their member agreement.

GA: They do not regulate associations but be careful and clear about who is selling what and any transfer of risk.

HI: Not currently regulating or requiring registration of either associations or DMPO's

ID: Per 48-1603 Association that is selling DMPO's must designate an agent as service of process

IL: If the DMPO is named in Association membership benefits as a separate entity then the Association does not need to register, but if it is private labeled then the association needs to register with the DOI as a DMPO.

NH: Effective 1/1/09, all entities selling in NH have to be licensed, authority through licensing, fraud and advertising rules

OH: Associations would need to provide oversight that any DMPO that utilizes is registered with the state and complies with all state regulations.

OR: ORS 742.420(1) and (2) define "discount medical plan" and "discount medical plan organization." In both instances the definition includes that there is a charge for the plan. If an association does not charge its members for the plan, but it is included in regular membership dues, it would not fit the definition and therefore would not be subject to the license requirement in ORS 742.422. Regarding licensing - ORS 742.422(1) A person may not conduct business . . . as a discount medical plan organization unless the person first obtains a license to operate . . ." Person is defined in ORS 731.112 and includes "a corporation, association, partnership . . ."

OK: Associations would need to provide oversight that any DMPO that it utilizes is licensed with the state and complies with all state regulations, including filing of all marketing materials and providing a listing of providers and marketers on an annual basis.

TN: Associations would be subject to registration requirements – for RX only. Provide name and place of business, promotional materials, list of drugs, and name and address for service of process

*******Other Notes of Interest**

AL: They met with some DMPO organizations and determined they are not insurance and do not regulate them. AL has had a few consumer inquires but DMPO's are not a big problem.

AZ: Has not seen a recent trend of either a decrease or increase of DMPO's. Primary complaint is that when the consumer attempts to seek services from a provider, the provider is unaware that their name is on the list.

AR: Provides a consumer brochure on the web and even has a sample advertisement marked up for the consumer to be able to detect what they are actually purchasing.

CT: The majority of the DOI complaints on DMPO's come from Blast Faxes- many are fraudulent and come from DMPO's that are not licensed. They will be pursued via the FCC..

DC: Do not regulate DMPO's yet but on their radar screen. Biggest complaints are the providers are unaware they are on the provider list for discounts, or there is no network in place, or the advertising fails to say it is not insurance,

GA: Be careful of illegal inducement- advertising as non- insurance inside an insurance program. See some complaints with blast faxes that are fraudulent advertising.

FL: During first year after required licensing complaints went down 90%. Since licensing they have relatively little problems. If an insurance company has their own DMPO plan and it is free to insured they do not have seek separate license. Oterwise if an insurer is partnering with a separate DMPO that has its own product, the DMPO needs to be licensed.

HI: Does not regulate DMPO's. Some concern that is they were to regulate them it may be used by the DMPO that the DOI has "approved" the plan.

ID: they rarely see DMPO complaints, some consumer cancellation issues. Regulation of DMPO's are "not in the legislative works".

IA: Careful of rebating- see Bulletin 08-13. DOI does not particularly like DMPO's.