



## Ohio Revised Code

### Section 3956.18 Advertising prohibitions - summary document.

Effective: [September 13, 2022](#)

Legislation: [Senate Bill 273](#)

---

(A)(1) No person shall make, publish, disseminate, circulate, or place before the public, or cause to be made, published, disseminated, circulated, or placed before the public, in any newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio or television station, or in any other manner, any advertisement, announcement, or statement, written or oral, that uses the existence of the Ohio life and health insurance guaranty association for the purposes of sales, solicitation, or inducement to purchase any form of insurance or other coverage covered by this chapter.

(2) As used in division (A)(1) of this section, "person" includes but is not limited to any member insurer or any agent or affiliate of any member insurer.

(3) Division (A)(1) of this section does not apply to the association or any other entity that does not sell or solicit insurance or coverage by a health insuring corporation.

(B)(1) Within six months after November 20, 1989, the association shall prepare a summary document, complying with division (C) of this section, describing the general purposes and current limitations of this chapter. The document shall be submitted to the superintendent of insurance for approval.

(2) On or after the sixtieth day after receiving approval under division (B)(1) of this section, no member insurer shall deliver a policy or contract to a policy owner, contract owner, certificate holder, or enrollee unless the summary document is delivered to the policy owner, contract owner, or certificate holder, or the enrollee, prior to or at the time of delivery of the policy or contract. The summary document also shall be available upon request by a policy owner, contract owner, or certificate holder, or the enrollee.

(3) The distribution or delivery, or contents or interpretation of the summary document shall not be construed to mean that the policy or contract or the policy owner, contract owner, or certificate



holder, or the enrollee, is covered in the event of the impairment or insolvency of a member insurer. Failure to receive this summary document does not confer upon the policy owner, contract owner, certificate holder, enrollee, or insured any greater rights than those stated in this chapter.

(4) The association shall revise the summary document as amendments to this chapter may require.

(C) The summary document prepared under division (B)(1) of this section shall contain a clear and conspicuous disclaimer on its face. The superintendent shall adopt a rule establishing the form and content of the disclaimer. The disclaimer shall do all of the following:

- (1) State the name and address of the Ohio life and health insurance guaranty association and of the department of insurance;
- (2) Prominently warn the policy owner, contract owner, or certificate holder, or the enrollee, that the association may not cover the policy or contract or, if coverage is available, it will be subject to substantial limitations and exclusions, and conditioned on continued residence in this state;
- (3) State the types of policies or contracts for which guaranty funds will provide coverage;
- (4) State that the member insurer and its agents are prohibited by law from using the existence of the association for the purpose of sales, solicitation, or inducement to purchase any form of insurance or health insuring corporation coverage;
- (5) Emphasize that the policy owner, contract owner, certificate holder, or enrollee should not rely on coverage under the association when selecting an insurer or health insuring corporation;
- (6) Explain rights available and procedures for filing a complaint to allege a violation of any provisions of this chapter;
- (7) Provide other information as directed by the superintendent, including sources for information about the financial condition of insurers provided that the information is not proprietary and is subject to disclosure under that state's public records law.



AUTHENTICATED,  
OHIO LEGISLATIVE SERVICE  
COMMISSION  
DOCUMENT #299008

(D) A member insurer shall retain evidence of compliance with division (B) of this section for so long as the policy or contract for which the notice is given remains in effect.