



Ohio Revised Code

Section 1739.03 Certificate of authority issued by superintendent of insurance.

Effective: September 29, 2015

Legislation: House Bill 64 - 131st General Assembly

(A) No employer shall enter into an agreement to participate in a group self-insurance program unless the multiple employer welfare arrangement has been issued a certificate of authority by the superintendent of insurance. Employers or other organizers that propose to create an arrangement or arrangements and provide benefits through a group self-insurance program or group self-insurance programs shall apply to the superintendent for a certificate of authority.

If a group listed under division (A) of section 1739.02 of the Revised Code establishes, maintains, or operates more than one multiple employer welfare arrangement subject to sections 1739.01 to 1739.22 of the Revised Code, the group shall apply to the superintendent for only one certificate of authority which shall cover all such arrangements.

(B) When applying for a certificate of authority, a proposed multiple employer welfare arrangement or arrangements shall file with the superintendent a nonrefundable filing fee of one thousand dollars and an application setting forth all of the following:

(1) The name of each arrangement;

(2) The address of each arrangement's principal place of business;

(3) The name and address of a resident of this state designated and appointed as the registered agent of each proposed arrangement for service of process in this state in accordance with division (C) of section 1739.15 of the Revised Code. The person so designated and appointed shall be an officer of the arrangement.

(4) The names and addresses of the officers, directors, and trustees of each proposed arrangement and a statement of whether any of such officers, directors, and trustees have been convicted of any felony or misdemeanor within ten years prior to the date of the application;



- (5) The powers of the officers, directors, and trustees;
 - (6) The term of office of each officer, director, and trustee;
 - (7) A brief outline of the method by which the administrative obligations of each arrangement will be met;
 - (8) A business plan describing the arrangement's anticipated method of operations for two years from its commencement of activities.
 - (9) A copy of the articles and bylaws of each arrangement;
 - (10) A copy of the agreement;
 - (11) The name and address of all third-party administrators;
 - (12) A copy of each agreement between each arrangement and all third-party administrators;
 - (13) A statement certified by an independent certified public accountant regarding the financial condition of each arrangement listing, on a form as may be prescribed by the superintendent, all of its assets and liabilities for the last month ending forty-five days prior to the application date;
 - (14) A copy of each contract, certificate, endorsement, and application form each proposed arrangement intends to issue or use;
 - (15) The names of any co-sponsors, promoters, trustees, or other facilitators involved with the establishment of each arrangement;
 - (16) Other information, documents, or statements as the superintendent requires.
- (C) All fees collected under division (B) of this section shall be paid into the state treasury to the credit of the department of insurance operating fund created under section 3901.021 of the Revised Code.