

11 NCAC 12 .1309 FAIR MARKETING STANDARDS

- (a) A carrier may select those agents with whom it chooses to contract. If a carrier chooses to contract with an agent, the carrier may not terminate or refuse to renew the agency contract for any reason related to the health status, claims experience, occupation, or geographic location of the small employer groups placed by the agent with the carrier. If the agent is directing statutory plan business to the carrier, the carrier may terminate the agency contract.
- (b) No carrier shall, directly or indirectly, enter into any contract, agreement, or arrangement with an agent that provides for or results in any consideration provided to an agent for the issuance or renewal of a health benefit plan to vary on account of the health status, claims experience, industry, occupation, or geographic location of a small employer group covered by the plan.
- (c) Each carrier shall provide all small employers in the same class of business an equal opportunity to obtain coverage under the statutory plans.
- (d) No carrier shall apply more stringent application or informational requirements for enrollment for the statutory plans than are applied for other health benefit plans offered by the carrier.
- (e) No carrier shall limit or discourage any producer marketing the statutory plans.
- (f) A carrier shall provide a price quote to a small employer, directly or through an authorized producer, within seven business days after receiving a request for a quote and such information necessary to provide that quote. If additional information is necessary for the quote, a carrier shall notify a small employer, directly or through an authorized producer, within five business days after receiving the additional information.

*History Note: Authority G.S. 58-2-40(1); 58-50-120(c)(7); 58-50-125(f);
Temporary Adoption Eff. December 21, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. April 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*