

NEW HAMPSHIRE INSURANCE DEPARTMENT

169 Manchester Street
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Sylvio L. Dupuis
Insurance Commissioner

BULLETIN

TO: All Insurers Licensed to Sell Accident and Health Insurance,
Health Maintenance Organizations and
Non-Profit Health Service Corporations

FROM: New Hampshire Insurance Department

DATE: December 28, 1994

RE: Chapter 294, Laws of 1994 (SB 711)

The following amendment to the Department's Bulletin of August 30, 1994, is issued in order to clarify the Department's position relative to the application of Chapter 294, SB 711 (1994), to individual policies issued prior to January 1, 1995.

Amend Item 8 of the August 30, 1994 bulletin to read:

Policies that were in-force prior to January 1, 1995, whether they be individual policies or group policies, shall comply with RSA 420-G:4 I as of the policy's anniversary date or renewal date, whichever occurs first, on or after January 1, 1995.

However, with respect to individual policies issued prior to January 1, 1995, to which the carrier could have attached exclusion or elimination riders pursuant to NHCAR Part Ins 1901.04(b) (8)e., policyholders shall have the option at each renewal of maintaining the policy as issued or terminating the policy in favor of replacement coverage. Policies that are maintained as issued by the policyholder may continue to be rated by the carrier utilizing the same rating methodology applicable prior to January 1, 1995. As an alternative, the carrier may combine such policies with the carrier's new business for rating purposes. The decision to combine policies shall be considered irrevocable. However, the decision to maintain such policies separate from the carrier's new business for rating purposes shall be revocable.

If you have any further questions, contact **Robert C. Warren Jr., Director, Life, Accident and Health Division at 603-271-2261**