



The State of New Hampshire
Insurance Department
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Roger A. Sevigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

BULLETIN

Docket Number: INS NO. 09-021-AB

TO: All Health Insurers and Third Party Administrators Authorized to Conduct Business in New Hampshire

FROM: Roger A. Sevigny

DATE: March 13, 2009

RE: Clarification of Bulletin No. 08-079-AB regarding Professional Employer Organizations (PEOs), Group Health Insurance Statutes, and Small Group Health Insurance Statutes

Questions have been raised from a number of sources regarding the status, in light of Bulletin No. 08-079-AB, of existing health insurance coverage written through the sponsorship of PEOs. This is to clarify that, so long as the coverage is written by a health carrier that is licensed to write coverage in New Hampshire, the coverage is a valid and enforceable insurance contract. Neither does such coverage constitute "unauthorized insurance" within the meaning of RSA 406-B.

The Department is developing further guidance for carriers writing coverage through the sponsorship of PEOs regarding the steps that will need to be taken to ensure that, going forward, coverage is written in a manner that complies with New Hampshire standards. The Department plans no action regarding existing coverage or coverage written during the pendency of further guidance.