# Ohio Revised Code

## Section 1739.05 Minimum enrollment.

Effective: September 17, 2014

Legislation: Senate Bill 99 - 130th General Assembly

(A)  A multiple employer welfare arrangement  that is created pursuant to sections 1739.01 to 1739.22 of the  Revised Code and that operates a group self-insurance program may  be established only if any of the following applies:

(1)  The arrangement has and maintains a minimum enrollment of  three hundred employees of two or more employers.

(2)  The arrangement has and maintains a minimum enrollment of  three hundred self-employed individuals.

(3)  The arrangement has and maintains a minimum enrollment of  three hundred employees or self-employed individuals in any  combination of divisions (A)(1) and (2) of this section.

(B)  A multiple employer welfare arrangement that is created  pursuant to sections 1739.01 to 1739.22 of the Revised Code and  that operates a group self-insurance program shall comply with all laws applicable to self-funded programs in this state, including  sections 3901.04, 3901.041, 3901.19 to 3901.26, 3901.38, 3901.381  to 3901.3814, 3901.40, 3901.45, 3901.46, 3902.01 to 3902.14, 3923.24,  3923.282, 3923.30, 3923.301, 3923.38, 3923.581, 3923.63,  3923.80, 3923.85,  3924.031, 3924.032, and 3924.27 of the Revised  Code.

(C)  A multiple employer welfare arrangement created pursuant  to sections 1739.01 to 1739.22 of the Revised Code shall solicit  enrollments only through agents or solicitors licensed pursuant to Chapter 3905. of the Revised Code to sell or solicit sickness and  accident insurance.

(D)  A multiple employer welfare arrangement created pursuant  to sections 1739.01 to 1739.22 of the Revised Code shall provide  benefits only to individuals who are members, employees of members, or the dependents of members or employees, or are  eligible for continuation of coverage under section 1751.53 or  3923.38 of the Revised Code or under Title X of the "Consolidated

Omnibus Budget Reconciliation Act of 1985," 100 Stat. 227, 29  U.S.C.A. 1161, as amended.