Small Group Underwriting Guidelines

(*Groups of 2-50 full-time equivalents*)

Broker Edition

Independence Blue Cross Underwriting Department

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Independence

Contents

Eligibility and enrollment requirements

Please note: The guidelines listed in this document are internal policies and are not intended to be a description or summary of applicable laws. These guidelines are applicable to new and renewing customers. Independence reserves the right to decline to quote new business groups or to terminate a group at renewal that is not in compliance with the underwriting guidelines. Any termination will be in compliance with the federal Patient Protection and Affordable Care Act (PPACA). Unless indicated otherwise, the guidelines in this document are applicable to Quality Care Corporation (QCC Insurance Company (QCC)), Keystone Health Plan East (KHPE), and Independence Hospital Indemnity (IHIP) and existing groups with Independence coverage.

Employer eligibility	• An employer must employ, on average at least one **but not more than 50 employees, including full-time and full-time equivalents (FTEs)** on business days during the preceding calendar year to be considered for Independence*small employer coverage. • New group applicants not meeting this definition of a small employer are not eligible for group coverage under the Small Employer plans. • The following groups do not meet the definition of small employer: – Employee and spouse (including same sex marriage spouses) only businesses are no longer eligible for small group coverage (note: spouse is excluded from the federal definition of employee). – Owner only groups, where there is not at least one common law employee; this includes partner only groups. • Groups comprised of family members only may be eligible if there is at least one common law employee. • Organizations must not be formed solely for the purpose of obtaining health coverage. • A group of one is permitted, provided that the group consists of at least *one* owner and *one* employee. • ***Note***: (An owner/s cannot be the only individuals *offered* coverage). **Independence defines small employer consistent with the Internal Revenue Service guidance on defining a small employer.*
Independence Service Area	• Greater Philadelphia Five County Area: Philadelphia, Bucks, Montgomery, Chester, and Delaware • Contiguous counties (counties that border the five counties): Warren, Northampton, Lehigh, Berks, Hunterdon, Lancaster, Mercer, Burlington, Camden, Gloucester, Salem, New Castle, and Cecil. • 5 county rating area for PA is rating area 8, per new federal geographical requirements.
Group location requirements	• The employer must be headquartered within the Greater Philadelphia five-county area, as defined above. ***Note***: In accordance with regulation 147.104, employers with a business address outside of the Independence service area, but headquartered within the state of Pennsylvania, may be eligible for group coverage if at least one enrolling employee, lives, works or resides within the Independence service area. • Group members enrolling in HMO/POS coverage must reside within the Independence service area, except for members covered by an Independence affiliate as indicated below. • Group members who live in non-contiguous counties and have HMO/POS coverage must be covered under and issued booklets by an affiliate of Independence.

Participation requirements	• Groups of 2-50 must have a minimum of 70 percent participation which includes all medical product lines of business. • For groups covering early retirees (under age 65), 100 percent participation of the early retiree population is required. The group must consist of a minimum of 70 percent participation for the active employees. • Group Medicare coverage may be available for Medicare-eligible retirees, please refer to the Independence Medicare guidelines for eligibility, participation requirements and other guidelines. • Early retirees (under age 65 retirees not eligible for Medicare) cannot represent more than 10 percent of the total group enrollment. • Valid Waivers: – Employees with group coverage through Independence subsidiaries, Medicare or Medicaid, Veteran or other government issued coverage; – Employees covered through their spouse; – Employees covered as an eligible dependent to age 26, in accordance with federal Patient Protection and Affordable Care Act. ***Note***: Coverage through an individual "direct pay" plan is not a valid waiver, which includes employees enrolled in an employer sponsored Individual Coverage Health Reimbursement Agreement plan (ICHRA).
Employer contribution requirement	• For contributory plan offerings, the employer must contribute a minimum of 25 percent of the lowest cost option's gross monthly premium.
Coverage classes	• Definition: Distinct categories (classes) within the group; these classes will receive different levels of health care coverage. • Classes must be determined by conditions relating to employment; must be clearly identifiable; and must exist for purposes other than insurance risk (for example, union/non-union, salaried/hourly, full time/part time). • Excluding a class from coverage within a group is **not** permitted. • Existing accounts may not split into multiple accounts to obtain multiple benefit levels. Qualifier: Subject to the above conditions, Independence will comply with the coverage classifications requested by the customer, **but approval of such a request does not indicate that the requested classifications comply with applicable laws/regulations.** The customer should consult with its own legal counsel or tax advisor to determine if the coverage classification is permissible under applicable laws/regulations.
Employee eligibility	• Eligible employees include all active employees and owners or partners actively engaged in the business who: – Are deemed benefit-eligible according to the employer; – Meet all requirements as defined in the carriers' plan documents and who have fulfilled any authorized waiting period requirements; and – Reside or work in the applicable service area when electing HMO/POS coverage; – To minimize adverse risk selection it is recommended that employees work at least 25 hours per week. • ***Off-cycle additions***: Employees who initially waive coverage because they are covered under a spouse's medical plan may be added off-cycle to the group's benefit plan upon the occurrence of a life event (for example, spouse's employment is terminated). • ***Probationary Period***: In accordance with PPACA laws, employee probationary periods cannot exceed 90 calendar days from the hire date.

Dependent eligibility	• Employee's spouse • Dependent children of the employee (natural, adopted, under legal guardianship or court-ordered custody), as defined in plan documents and in accordance with state and federal laws, are eligible for coverage up to age 26. • At employer's request, medical coverage for dependent children may be extended to age 30, if the dependent child meets the following criteria: (*Pennsylvania State Law*) – Is not married and has no dependents (need not be a full-time student); – Is a resident of the Commonwealth of PA or enrolled as a full-time student in an institution of higher education; – Is not provided coverage under any other group or individual health plan, including eligibility for any government health care benefits program. • An overage handicapped dependent child is one who is incapable of self-support due to mental or physical incapacitation. Independence will review the required handicapped documentation to determine eligibility for overage handicapped coverage (coverage will terminate upon marriage of the dependent). • Individuals cannot be covered as an employee and dependent under the same plan, nor may children be eligible for coverage through both parents and be covered by both under the same plan. • Dependents must enroll in the same benefit option as the employee.
COBRA and Pennsylvania State continuation coverage (referred to as mini-COBRA)	• COBRA coverage will be extended in accordance with the federal law. • Employers with 20 or more employees (full/part time) are eligible to offer COBRA coverage. • Employers with less than 20 employees (full/part time) are eligible to offer mini-COBRA coverage. • The number of enrollees in COBRA and/or Pennsylvania mini-COBRA coverage is limited to 10 percent of the group enrollment. • Note: COBRA/Mini-COBRA members are not to be included for purpose of counting employees to determine the size of the group. Once the size of the group has been determined, and it is determined that the law is applicable to the group, COBRA/Mini-COBRA members can be included for coverage subject to the normal underwriting guidelines.
Common ownership affiliation (two or more companies affiliated or associated)	• Employers who have more than one business with different tax identification numbers (TINs) may be eligible to enroll as one group if the following criteria are met (combined arrangements will not be quoted until sufficient proof of ownership is provided, as outlined below): – For small employers, one owner must have at least 80 percent controlling interest of all businesses to be included. ***Note***: Customers requesting to combine small businesses with *mid-sized or **large businesses as common ownership, must provide proof that one owner has at least 80 percent controlling interest for all small businesses and at least 51 or more percent controlling interest for all mid/large businesses. – Employer provides proof of ownership (acceptable proof includes copies of IRS Forms 851, 1065 - Schedule K-1, or SS4 – Application for Employer ID, and/or a copy of latest federal tax return -- all businesses filed under one combined tax return must be enrolled as one group). – Employer provides UC2A Employer's Quarterly Report of Wages for each entity and combined census with all eligible from all entities. – Must have common policymaker legally authorized to make benefits decisions for the combined business. – Employer must submit letter from the employer indicating desire to combine the commonly owned entities. • Subject to underwriting review and approval on case-specific basis.

- Also applies to existing groups wishing to add new businesses under common ownership arrangement (i.e. acquisitions, mergers).
- Once common ownership is established and premium rates are provided, the rates must be accepted as presented.
- Common ownership groups may later be separated for group coverage only when based on verifiable legitimate business reasons.

**Mid-sized business is defined as employers with 51-99 employees.*

***Large business is defined as employers with 100 or more employees.*

Product regulations and requirements

Benefit plans available	• Blue Solutions® for small employers • HSA-qualified high-deductible products – with integrated drug • Adult dental product • All small group benefits will include Domestic Partner coverage and Autism benefits.
Quoting Policy	• Maximum Product Offerings: • Small groups are allowed a maximum of three complete packages (medical with drug, pediatric and adult vision, and pediatric dental benefits). • If a second package is offered, we recommend it be within the same metallic level or one level above or below the first package offered. • Medicare products are not counted toward maximum number of products. • For groups with out-of-area (OOA) employees: – If a group is offering a PPO plan for out-of-area enrollment, the PPO benefit level must be equivalent to the benefit plans offered to the in area employees. – Group offerings may not exceed three plans, including an out-of-area PPO coverage. ***Note***: If a PPO plan is added off-anniversary to accommodate new hire out-of-area enrollment, the rates and benefits will be based on the quarter corresponding to the effective date of the newly added PPO plan. The anniversary datefor the PPO Plan added will be the same as the group's original anniversary date.
Rating structure	• All small group medical, prescription drug, vision and pediatric dental plans will be calculated on a member-level build-up rating structure.
Existing Groups with non-Blue Solution PPO, HMO, or POS plans	• Small group offerings are limited to the Blue Solutions product suite. Existing groups of 51 or more that qualify and transfer to the small group segment must select from the small group Blue Solutions product suite.
Mandated benefits	• Definition: Benefits that are required to cover the treatment of specific health conditions, certain types of healthcare providers, and some categories of dependents, such as children to a certain age. Health care benefits may be mandated by state and/or federal law.
Benefit plan changes	• Small groups will not be permitted to change benefits until their anniversary date. • Benefit changes requested *after* the renewal date will not be permitted. • Additions, termination or changes to Blue Branded ancillary benefits are not permitted off anniversary.

Collective bargaining/ union agreements	• The Patient Protection Affordable Care Act federal guidelines will supersede any collective bargaining/union agreements.
High deductible health plans (HDHPs), including HSA-qualified HDHPs	• Definition: – HDHP – Any plan with an in-network deductible of $500 Single/$1,000 Family or higher. – HSA-Qualified HDHP – Plans must follow prescribed federal guidelines and requirements, which are updated annually by the IRS. • Guidelines for funding deductibles: – Per the Affordable Care Act regulations, employers should not fund more or less than the federally mandated standards for funding employee deductibles. – The high deductible plan design selected will specify the funding requirement; please refer to each plan design for specific funding requirements. • An HSA-qualified HDHP may be offered along with other products, up to the maximum plan offerings (dual plan options) for the size of group. • HSA-qualified HDHPs: Health Savings Account (HSA) regulations have distinct requirements for prescription drug coverage. Federal requirements for HSA-qualified HDHPs do not allow a separate prescription drug program (or rider) to provide benefits before the HDHP annual deductible is satisfied; therefore, if a plan provides any prescription drug benefit before the annual deductible is met (except in the case of preventive drugs), it is not a qualifying HDHP for a Health Savings Account.
Health Reimbursement Account (HRA)	• Definition: Health reimbursement accounts (HRAs) are personal accounts funded solely by an employer used to reimburse employees for qualified medical expenses. Employer contributions are tax deductible for employers and generally excluded from an employee's gross income. • May be offered only: – On group's anniversary date; – With a Flex Deductible medical plan option (prescription drug plan selection will follow high-deductible plan rules.) • Employer should not fund more or less than the federally mandated standards for funding employee deductibles. • Only one HRA option per customer.
Health Spending Account (HSA)	• Definition: A tax-exempt trust or custodial account created to pay for qualified medical expenses of the employee and their dependents. • Available only with a federally qualified high deductible health plan (HDHP) with integrated prescription drug benefit. • Groups adding or changing to an HSA-qualified plan with a contract year benefit period may change anniversary date, which would apply to all products.

Independence Blue Branded Dental Guidelines for 2021

Benefit Plans Available

- Adult buy-up plans available: Adult Preventative; Adult Preferred; Adult Premier and Adult DHMO.
- Family Plans available: Preferred Family Plan; Premier Family Plan and Deluxe Family Plan.
- Dental plans changes, additions or cancelations will only be allowed on anniversary.
- All dental plans are offered on a contract year basis.

Orthodontia Plan Guidelines

- Orthodontia coverage is only available with specific Family Plan benefits.
- Orthodontia coverage is not available for employers with under 10 enrolled.
- For employers under 25 enrolled, proof of prior coverage is required for orthodontia coverage.
- Proof of prior orthodontia coverage should include the following:
- Name of carrier, effective/end date of coverage, plan summary reflecting orthodontia coverage.

Employee and Dependent Eligibility

Adult Dental Plans:

- For adult dental plans employees must be age 19 or older to enroll.
- Child dependents must be between age 19 and up to age 26.

Family Dental Plans:

- Employee and dependent eligibility requirements for Family Dental plans are consistent with the eligibility requirements for small group medical plans.

Participation Requirements:

- Dental participation requirements must match the medical participation requirements.
- When a dental plan is offered, employees and their eligible dependents enrolled in the medical plan must also enroll in the dental plan.

Maximum Product Offerings and Dual Option Guidelines:

- Maximum of two plans allowed.
- When multiple dental options are offered, each dental option must be paired with a specific medical plan.
- Two dental plans must differentiate more than just orthodontia coverage
- The DHMO dental rider may only be paired with a Keystone POS/HMO plan.
- The PPO riders may be paired with any Independence medical plan.

Contribution Requirements:

- Employers must contribute a minimum of 25 percent of the lowest cost option's gross monthly premium.

Minimum Enrollment Requirements:

- Minimum 2 enrolled contracts.

Rate Guarantee:

- A twelve-month rate guarantee is standard for small groups.

Rating information

Rating programs	• For new and existing groups, applicable rating methodology will be as defined by the federal Affordable Care Act guidelines.
Underwriting for small groups	• Definition of Small Group New Business and Renewal rating: As allowed under the Affordable Care Act, groups will be given community-based member level rates adjusted for the following factors: age, tobacco status, family size and employer geography. • ***Note***: According to the U.S. Food and Drug Administration (FDA), E-cigarettes and vaping products are considered tobacco products. Therefore, tobacco rating will apply for individuals using these products.
Changes in group size – effect on rating	• The employer is responsible for notifying Independence if the employee count has changed from small employer to mid-market, or vice versa. • If an employer group was previously rated as a small employer and increases in size to 51 or more total employees at renewal, the employer group will continue to be rated as small group until: – The group requests to be re-rated based on new group size – Proof is submitted confirming the new employee count • Retroactive changes in rating methodology will not be permitted. If an employer group was renewed as a small employer and subsequently informs us that their employee count was 51+, the renewal rates would stand until the next anniversary date. • Employer groups can only change from small employer to mid-market or vice versa on anniversary date.
Change in anniversary	• Request to change a group anniversary will be allowed only for valid business reasons such as: – Consolidating Businesses – Merger – To align with an anniversary for other lines of business • Proof of valid business reason is required. • Requests must be received at least 90 days in advance of the group's current anniversary. The requested anniversary date must be after the current anniversary date. • Underwriting approval is required for request to change a group's anniversary date.
Situations requiring a requote as new business by an Independence account executive or broker	**Existing business:** • A change in anniversary date – Documentation required: Letter from employer (on customer letterhead) – Requires approval by Underwriting • A material change in the census (for example, purchasing a new entity) – Documentation required: Proof of common ownership (see "Common Ownership" rules under *Eligibility Requirements* section of this document – Requires approval by Underwriting

Documentation required for a New Business quote	**New Business** The broker will submit the following group census information through ROAM to receive an initial sample rate based on group characteristics. **Group census for all eligible employees, dependents and COBRA participants, to include:** • Employee name (surname required) • Date of birth (MM/DD/YYYY) • Gender • Relationship to employee • Employees waiving coverage (eligible employees not electing coverage because they are covered under another plan) • Employee opt outs (eligible employees not electing coverage and who are not covered under another plan) • Zip code (if available) • Tobacco status
Right to decline to quote	• Subject to applicable federal and state laws, Independence reserves the right to decline to quote any group deemed to be in violation of our underwriting guidelines. Such a decision will not be based in any way on the medical condition of the group's members. • Independence reserves the right to perform periodic audits to assure continued compliance with the Underwriting Guidelines.
EIN and name changes	• Groups requesting a name change in addition to an EIN change will require Sale and Underwriting review. • Proof of new EIN and name change should be sent to Underwriting for review and approval.

Post-sale submission requirements

Post-sale enrollment requirements	Rates quoted are conditional pending receipt, review and acceptance of the standard submission requirements. ***Note**: All offerings are subject to final underwriting review and acceptance. Additional guidelines and policies may apply.*

Documents required with group submission	The following documentation must be provided for consideration:
	• Application for New Employer Health Benefits (front and back)
	• Universal Enrollment Forms (one for each employee enrolling)
	• Rate Quote
	• Most recent PA UC2A Form (Unemployment Compensation Tax Form)
	• Small Employer Certification (front and back) – required for newly-formed or family-owned business when a PA UC2A form is not available.
	
	Employers that do not have/file a UC2A because they are a newly formed company, family-owned business, or a non-profit entity, must provide **one proof of business *and* one proof of employment** from the list below. Documentation should confirm that the business is active and the location of the business.
	
	• **Proof of business (provide one):**
	  • Current business license (not a professional license)
	  • Corporate Tax Form (Form 1120)
	  • Partnership agreement, articles of organization or articles of incorporation
	  • Official document with Employer Identification Number/federal tax ID number
	  • Federal Form 990 or IRS Exemption letter (for non-profit entities)
	AND
	• **Proof of employment: (provide one)**
	  • Payroll record (Paychex, ADP, QuickBooks, etc.)
	  • W-2 for all employees
	  • Independence Eligibility Form for Owners/Partners completed and signed by each owner/partner (requires tax documentation)
	  • Letter from *Certified Public Accountant listing the names of all employees (full and part time), number of hours worked each week, dates of hire and weekly salary.
	**The CPA cannot be part of the employer group and the CPA license must be active. A letter from an attorney may be accepted in lieu of the CPA letter. The attorneys license must be active and cannot be part of the employer group.*

Group terminations and reinstatements

Termination process	• Any terminations will be in compliance with the federal Patient Protection and Affordable Care Act. • Employer may terminate coverage on contract anniversary date, with at least 30 days' advance written notice to Independence. • Independence may terminate the group's coverage for nonpayment of premium, upon written notice, effective the last day of the 30-day grace period. • Independence reserves the right to terminate a group's coverage off-anniversary if the group fails to meet Independence's underwriting guidelines.
Terms and conditions upon termination of coverage	• The employer is responsible for all due but unpaid premiums. • When active group is terminated, all COBRA groups and Medicare groups (including Medicare Advantage, Medicare Prescription Drug Plans, and Medigap groups) must also be terminated – COBRA-only or Medicare-only groups are not allowed. • Any terminations will be in compliance with Patient Protection Affordable Care Act regulations.
Reinstatement of coverage	• Applies to groups terminated from coverage due to nonpayment of premium. • Reinstatement must occur within 60 days of the effective date of cancellation. • Must be retroactive to the cancellation date. • Upon satisfaction of the above conditions, Independence Underwriting will review the case and make a final determination whether or not to approve reinstatement and applicable rate level. • Limited to one reinstatement per year. • Reinstatements will be in compliance with Patient Protection Affordable Care Act regulations. • Unpaid premium balances on groups will be pursued by the Accounts Receivable team – either internally or through a third-party collection agency. • Reinstatements will be in compliance with Patient Protection Affordable Care Act regulations.
Former Independence coverage	• Groups that have been terminated for non-payment by Independence and are reapplying for coverage within 12 months, will be reviewed for ACA compliance prior to being offered coverage. • Groups returning at any time after voluntarily canceling coverage, will be considered new business. • Any unpaid premium balances on returning groups will be pursued by Accounts Receivable, either internally or through a third-party collection agency. • Returning groups must be in compliance with the Underwriting guidelines prior to coverage being issued.

Guaranteed Availability and Renewability	• In accordance with federal requirement § 147.104 Guaranteed availability of coverage, Independence offers insurance coverage to individuals and employers, and will accept applications for its products from all individuals and employers in accordance with the ACA, state law, and its Underwriting Guidelines. • In accordance with federal requirement § 147.106 - Guaranteed renewability of coverage, Independence guarantees renewal or continued coverage in its individual or group insurance plan market.