



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

1000 Washington Street, Suite 810 • Boston, MA 02118-6200
(617) 521-7794 • <http://www.mass.gov/doi>

ANNUAL FILING BY A QUALIFIED ASSOCIATION

(Subject to 211 CMR 151.00 in accordance with the authority granted to the Commissioner of Insurance by St. 2010, c. 288, §§ 21, 22, 23 and 34 and M.G.L. Chapter 176J, §§ 12 and 13)

WHEN COMPLETING THIS CHECKLIST:

The Division of Insurance (“Division”) requests that materials submitted with this checklist be filed in Adobe® “pdf format” on CD-RW [“Compact disk re-writable”] discs, in duplicate. Please identify each requested item within its own subdirectory according to the following guidance. Any follow-up materials requested by the Bureau of Managed Care (“Bureau”) should be submitted electronically in “pdf format” so that the Bureau can add the information to the originally submitted CD-RW disc(s).

Please place a marker (v) to identify the type of filing:

[] ANNUAL FILING BY A QUALIFIED ASSOCIATION (211 CMR 151.06(1))

[] MATERIAL CHANGE TO AN ANNUAL FILING BY A QUALIFIED ASSOCIATION (211 CMR 151.06(2))

Association Name

Association Website Address

Contact Name & Title:*

Contact Address:

Contact Telephone Number:

Contact Facsimile Number:

Contact Email Address:

***Association representative responsible for the annual filing.**

Please forward your completed annual filing by no later than April 1st:

Massachusetts Division of Insurance
State Rating Bureau - Bureau of Managed Care
Attn. Ms. Nancy Schwartz, Director
1000 Washington Street, Suite 810
Boston, MA 02118-6200

GENERAL

According to 211 CMR 151.01 “Qualified Association” is defined as “[a] Massachusetts nonprofit or not-for-profit corporation; or (2) any other entity domiciled inside or outside Massachusetts; which nonprofit or not-for profit corporation or entity is organized and maintained for the purpose of advancing the occupational, professional, trade, or industry interests of Association members, other than that of obtaining health insurance, and which has been in active existence for at least five years, and which comprises at least 100 Association members, and membership in which is generally available to potential Association members of such occupation, profession, trade or industry without regard to the health condition or status of a prospective Association member, or the employees and dependents of a prospective Association member.

- If the Commissioner of Insurance (“Commissioner”) determines that a Qualified Association has become ineligible to be a Qualified Association, the Commissioner shall notify the Association of such determination, in writing, stating the reason(s) for such determination. The Commissioner also shall provide notice of this determination to any Certified Group Purchasing Cooperative that has contracted with that Association to offer coverage to members of that Association. **See 211 CMR 151.04(4)**
- In the event that a Qualified Association becomes ineligible to be a Qualified Association, the Certified Group Purchasing Cooperative will notify contracting Carriers not to accept any new applications for Certified Group Purchasing Cooperative coverage from the ineligible Association’s Eligible Employers or Eligible Association Members following the date of date of such notification. The Carriers who have contracted with the Certified Group Purchasing Cooperative shall continue the coverage obtained by members of the Association through but not beyond the next renewal date of the Health Benefit Plan unless the Eligible Employer becomes a member of another Qualified Association and thereby retains eligibility for the Health Benefit Plan. **See 211 CMR 151.04(5)**
- Any material change(s) to an annual filing by a Qualified Association shall be submitted to the Commissioner, along with a statement certified by an officer of the Qualified Association, within 30 days of such change(s).” **See 211 CMR 151.06(2)**

ANNUAL FILING BY QUALIFIED ASSOCIATION - (211 CMR 151.06(1))

Every Qualified Association must submit to the Division, on or before April 1 of each year, an annual filing that contains the information described in 211 CMR 151.06(1). The following defined terms should be utilized when reporting statistics for the information requested:

Qualified Association Member: An individual member or small business that is actively enrolled or registered as a member of a Qualified Association according to the bylaws of the Qualified Association and, where necessary, has paid any dues that are required by the Qualified Association for membership.

Eligible Association Member: Any individual member of a Qualified Association who is a Massachusetts resident, who is also an Eligible Individual, and who meets all eligibility criteria of the Qualified Association of which he or she is a member, and who meets all eligibility criteria necessary to be offered a Health Benefit Plan through the Group Purchasing Cooperative of which the Qualified Association is a member.

Eligible Dependent: The spouse or child of an Eligible Employee or Eligible Association Member, subject to the applicable terms of the Health Benefit Plan covering such Eligible Employee or Eligible Association Member.

Eligible Employee: An employee who: (a) works on a full-time basis with a normal work week of thirty or more hours, including an owner, a sole proprietor or a partner of a partnership; provided however, that such owner, sole proprietor or partner is included as an employee under a Health Benefit Plan of an Eligible Small Business; and provided, however, that Eligible Employee does not include an employee who works on a temporary or substitute basis; and (b) is hired to work for a period of not less than five months, provided, however, that a Carrier shall not require that an employee must have worked for an unreasonable length of time in order to qualify as an Eligible Employee. For the purposes of 211 CMR 151.00, five months shall be deemed to be an unreasonable length of time when determining whether an employee is an Eligible Employee. Nothing in this definition shall exclude a sole proprietor from being determined to be an Eligible Employee, so long as that sole proprietor is otherwise eligible to be offered a Health Benefit Plan through a Group Purchasing Cooperative.

Eligible Individual: An individual who is a Massachusetts resident and who is not seeking health insurance coverage to replace an employer-sponsored health plan for which the individual is eligible and which provides coverage that is at least actuarially equivalent to minimum creditable coverage as defined by Connector regulation 956 CMR 5.00. For the purposes of 211 CMR 151.00, continuation coverage under M.G.L. c. 176J, § 9 or under the Consolidated Omnibus Budget Reconciliation Act of 1986 ("COBRA"), shall not be considered an employer-sponsored health plan.

Eligible Small Business: Any sole proprietorship, firm, corporation, partnership, or association actively engaged in business which, on at least 50 percent of its working days during the preceding year, employed from among one to not more than 50 Eligible Employees, the majority of whom worked in Massachusetts; provided, however, that the sole proprietorship, firm, corporation, partnership or association need not have been in existence during the preceding year in order to qualify as an Eligible Small Business. An entity is considered to be one Eligible Small Business if it is eligible to file a combined tax return, or if its companies are affiliated companies through the same corporate parent. Except as otherwise specifically provided, provisions of 211 CMR 151.00 that apply to an Eligible Small Business will continue to apply through the end of the Rating Period in which such entity no longer meets the requirements of an Eligible Small Business.

_____	The total number of Association members, the number of Massachusetts members in the Qualified Association, the number of Massachusetts Eligible Small Business and Massachusetts Eligible Association Members as of the preceding December 31; <u>(211 CMR 151.06(1)(a))</u>
_____	A description of the services, other than the offering of the purchase of health insurance, which the Qualified Association offers to its members; <u>(211 CMR 151.06(1)(b))</u>
_____	The fees paid by members to join and maintain membership in the Qualified Association, including, but not limited to, membership dues, ancillary service fees, program fees and charges, fees or dues related to associate membership or any subcategory of membership, etc.; <u>(211 CMR 151.06(1)(c))</u>
_____	The number of Qualified Association Members' Eligible Employees and the number of Eligible Dependents as of the preceding December 31; <u>(211 CMR 151.06(1)(d))</u>
_____	The number of Eligible Association Members, the number of Eligible Employees and the number of Eligible Dependents who are covered by Health Benefit Plans offered by a certified Group Purchasing Cooperative as of the preceding December 31. <u>(211 CMR 151.06(1)(e))</u>
_____	A statement, certified by an officer of the Qualified Association, indicating that the Qualified Association does not condition membership in the association or the offer of any association benefits on health status, claims experience, or duration of coverage since issue, and that the Qualified Association does not discriminate based on age, sex, race, creed, ethnicity, racial background, religious preference or any criteria that is not related to the occupational, professional, trade or industry interests of Qualified Association members. Please clearly articulate that membership is available to potential Association members of such occupation, profession, trade or industry without regard to the health condition or status of a prospective Association member, or the employees and dependents of a prospective Association member; <u>(211 CMR 151.06(1)(f))</u>
_____	A statement affirming that the Qualified Association was not formed for the purposes of obtaining insurance; <u>(211 CMR 151.06(1)(g))</u>
_____	If the Qualified Association is a participant in a Massachusetts nonprofit or a Massachusetts not-for-profit corporation that has applied for or been certified as a Group Purchasing Cooperative, then the Association shall identify said Massachusetts nonprofit or Massachusetts not-for-profit corporation; and <u>(211 CMR 151.06(1)(h))</u>
_____	Any other information required by the Commissioner. <u>(211 CMR 151.06(1)(i))</u>