



State Of Ohio

Department of Insurance

2100 Stella Court Columbus, Ohio 43266-0566

George V. Voinovich

Governor

Harold T. Duryee

Director

BULLETIN 92-3

TO: All Insurance Companies and Agents Doing Business
in Ohio

FROM: Harold T. Duryee, Superintendent

RE: Recision of Bulletin 90-3

This bulletin rescinds and supersedes existing Department of Insurance Bulletin 90-3, dated September 14, 1990, entitled Insurance Fraud Warning Statute.

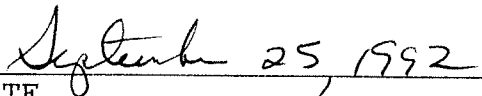
Ohio Revised Code Section 3999.21, as amended by H.B. 259, requires that all applications for group or individual insurance and all claim forms, for use by persons in applying for insurance or submitting a claim for payment or any other benefit, shall clearly contain a warning substantially similar to that stated in the statute. The amendments made by H.B. 259 eliminate the requirement that this warning be contained on certificates of insurance.

H.B. 259 permits insurers to comply with the warning requirement by using an addendum to an application or claim form, as long as it is actually attached to the form and otherwise satisfies the statute's requirements. An addendum may be used indefinitely, as may stamps and stickers.

This law applies to all insurers as defined in Ohio Revised Code Section 2913.47 (A)(3). This definition is not limited to health insurers. It includes all insurers licensed under Title 39 of the Revised Code; the following insurers authorized under Title 17 of the Revised Code: prepaid dental plans, medical care corporations, health care corporations, dental care corporations and health maintenance organizations; and any legal entity that is self-insured and provides benefits to its employees or members.

While the Department has not prescribed any particular language to be used, the language should be substantially similar to that contained in the statute and must be conspicuous and noticeable to the average reader. Insurers intending to use language other than the exact language contained in the statute were to have given the Department prior written notice of the language to be used. Insurers who have failed to do so, must immediately make a filing with the appropriate division (Life and Health, Managed Care, Property and Casualty) for review and consideration by the Department.


HAROLD T. DURYEE


DATE