

Group Health Stop Loss Checklist

Use this checklist:

- When reviewing group health stop loss products
- To ensure the product or policy meets requirements as listed in the Texas Insurance Code (TIC), the Texas Administrative Code (TAC), department guidelines, and other laws.
- To enter the page number in the "Page" field or reference location.

Policy face page

Policyholder identified as:

Page _____ : Employer or trustees of a fund set up by employer - [TIC Section 1251.051](#);

Page _____ : Association - [TIC Section 1251.052](#);

Page _____ : Multiple employer trust - [TIC Section 1251.053](#);

Page _____ : Trustee of fund for former insureds - [TIC Section 1251.055](#); or

Page _____ : Other (Discretionary) [TIC Section 1251.056](#).

Description of benefits

Page _____ : Benefits must be payable to policyholder - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Must provide full description of benefits - [TIC Section 543.002](#) and [Section 1701.055\(a\)\(2\)](#).

Page _____ : Must disclose attachment point (attachment point must not be less than \$5000). Clearly state whether the policy covers the same benefits as the health benefit plan and is subject to the same terms and conditions - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Clearly state whether the carrier is bound by the health benefit plan's eligibility provisions and independent reviews of medical necessity determinations - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Must disclose what is not covered or any limitations - [TIC Section 543.002](#) and [Section 1701.055\(a\)\(2\)](#).

Page _____ : Policy must terminate when the underlying plan terminates and should include a reasonable run-off provision - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Variable information must be bracketed with a clear explanation of how the material will vary - [28 TAC Section 3.18](#)

General policy provisions

Page _____ : No unfair discrimination between individuals of same class and essentially same hazard - [TIC Section 544.052](#).

Page _____ : Discretionary clauses prohibited - [TIC Section 1701.062](#), and [28 TAC Section 3.1202](#) and [Section 3.1203](#).

Page _____ : Clearly state the policy period and any applicable termination provisions. Explain whether the insurer has the ability to make changes to the policy terms and conditions or the premium rate during the policy period - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Clearly describe whether the policy is renewable and provide for reasonable notice of renewal and rate increases - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Clearly describe provisions related to payment of premium, including any grace period - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Clearly disclose what constitutes the entire policy, such as any attached application, amendment, rider, or endorsement - [TIC Section 1701.055\(a\)\(2\)](#).

Page _____ : Clearly disclose the process for claims payment, including a reasonable process and time frame for the policyholder to make a claim, and prompt payment of claims - [TIC Chapter 542](#) and [Section 1701.055\(a\)\(2\)](#).

Page _____ : Dispute process and right to legal action - may not limit the insured's right to due process to remedy a dispute through any particular action of law - [TIC Section 541.151](#), [Section 541.152](#), [Section 541.251](#), [Section 542.061](#), and [Section 1701.055\(a\)\(2\)](#).

Page _____ : An issuer offering coverage for gender affirming treatments must also provide coverage for the reversal of any such procedure, necessary follow-up testing and screening, as well as coverage for any possible complications that may subsequently arise because of these procedures – [TIC Section 1373.003](#)

Page _____ : An entity that offers Medicare Supplement Benefit Plans to individuals 65 years of age or older, must offer the same coverage to individuals younger than 65 years of age who are eligible to enroll in Medicare because of end stage renal disease or amyotrophic lateral sclerosis – [TIC Section 1652.059](#)

Bid - Requirements municipalities

Page _____ : Definitions - [TIC Section 1550.051](#).

Page _____ : Requirements - [TIC Section 1550.052](#).

Prohibitions

Page _____ : An insurer may not limit, cancel, refuse to renew, deny coverage, or vary an individual's rate, because of the individual's political affiliation or expression - [TIC Section 544.602](#), as added by HB 3433.

Page _____ : A company may not require a customer to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery in order to obtain insurance coverage or otherwise receive service from the company – [Health and Safety Code Section 161.0085\(c\)](#), as added by SB 968 (87R).

Page _____ : May not charge an additional fee to the payee for issuing payment by paper check instead of by an electronic payment method – [Business and Commerce Code Chapter 116](#).

Page _____ : Prohibition on forced organ harvesting - An issuer may not cover a transplant or post-transplant care if the transplant was performed in China, or another country known to have participated in forced organ harvesting. Also, an issuer may not cover a transplant for which the organ to be transplanted was procured by sale or donation originating in China or another country known to have participated in forced organ harvesting in addition, this prohibition against coverage extends to coverage for post-transplant care. [TIC Section 1380.003](#)