Agency Name: Consumer Affairs

Statutory Authority: 37-17-10 et seq., and particularly 37-17-120

Document Number: 4707

Proposed in State Register Volume and Issue: 40/10

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Banking and Insurance Committee

120 Day Review Expiration Date for Automatic Approval: 05/10/2017

Final in State Register Volume and Issue: 41/5

Status: Final

Subject: Discount Medical Plan Certificate of Registration

History: 4707

By Date Action Description Jt. Res. No. Expiration Date

- 10/28/2016 Proposed Reg Published in SR

- 01/10/2017 Received by Lt. Gov & Speaker 05/10/2017

H 01/10/2017 Referred to Committee

S 01/10/2017 Referred to Committee

H 05/03/2017 Resolution Introduced to Approve 4267

- 05/10/2017 Approved by: Expiration Date

- 05/26/2017 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4707

**DEPARTMENT OF CONSUMER AFFAIRS**

CHAPTER 28

Statutory Authority: 1976 Code Sections 37-17-10 et seq.,

Particularly Section 37-17-120

**Synopsis:**

 The department proposes to amend Regulation 28-90 to clarify registration requirements and processes regarding discount medical plan organizations.

 Notice of Drafting for the proposed regulation was published in the *State Register* on August 26, 2016. Comments were solicited for consideration in drafting the proposed regulation. Proposed regulation was published in the *State Register* on October 28, 2016.

**Instructions:**

 Add Regulation 28-90. (Discount Medical Plan Certificate of Registration) as printed below.

**Text:**

28‑90. Discount Medical Plan Certificate of Registration.

A. DEFINITIONS

 Definitions shall be those contained in S.C. Code Ann. S. 37-1-101 et seq., including 37-17-10 et seq. (1976 as amended) and the following:

 (1) “Card” means the instrument issued by a discount medical plan organization for a customer or user to access benefits of the discount medical plan.

B. REGISTRATION OF A DISCOUNT MEDICAL PLAN ORGANIZATION

 All Discount Medical Plan Organizations initial and renewal applications shall contain all trade names, brand names, and any other names used to advertise the product, or otherwise conduct business with South Carolina consumers.

C. REPRESENTATIVE OR MARKETER STATUS

 Discount Medical Plan Organizations may notify the Department on a continual basis of any changes in representatives or marketers, including any additions or inactivations, to ensure consumers and the Department have accurate information regarding the status of representatives and marketers. The Discount Medical Plan Organization’s list of marketers and representatives must be updated at each renewal or subsequent registration to reflect any changes.

D. MEMBERSHIP CANCELLATION AND REIMBURSEMENT

 Discount Medical Plan Organizations shall provide cancellation and reimbursement terms in writing to the applicant at the time of application and to the customer together with the discount medical plan card. Such terms shall include that all reimbursements or refunds shall be issued to the applicant or customer no later than thirty days from the date of cancellation.

**Fiscal Impact Statement:**

 The Department of Consumer Affairs estimates the costs incurred by the State in complying with the proposed regulation will be approximately $0.

**Statement of Rationale:**

 The department is revising this regulation in order to clarify registration requirements and processes regarding discount medical plan organizations.