

97310 Plan Size Thresholds

(a)

A health plan, health insurer, or public self-insured plan that has fewer than 40,000 California members is exempt from the requirements of this Chapter, unless it is a Qualified Health Plan. (1) The number of California members shall be calculated by adding together the California members in all of the entity's Medicare Advantage plans, private health plan products, and private health insurance products, as of December 31 of each calendar year. For purposes of this subsection, "private" refers to products that are not Medi-Cal or Medicare products.

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(b)

Application of threshold requirements. (1) A non-exempt health plan, health insurer, or public self-insured plan that drops below 40,000 California members as of December 31 shall be responsible for submitting data files for time periods through December of that calendar year. The health plan, health insurer, or public

self-insured plan shall notify the Program of its change in status and may elect to become a voluntarily participating entity. (2) An exempt health plan, health insurer, or public self-insured plan that exceeds 40,000 California members as of December 31 shall be responsible for submitting data for time periods beginning on January 1 of the next calendar year. (3) A newly created health plan, health insurer, or public self-insured plan that has 40,000 or more California members on December 31 of the year in which it is created shall be responsible for submitting data for time periods beginning on January 1 of the next calendar year.

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(2)

An exempt health plan, health insurer, or public self-insured plan that exceeds 40,000 California members as of December 31 shall be responsible for submitting data for time periods beginning on January 1 of the next calendar year.

(3)

A newly created health plan, health insurer, or public self-insured plan that has 40,000 or more California members on December 31 of the year in which it is created shall be responsible for submitting data for time periods beginning on January 1 of the next calendar year.