806 KAR 17:350. Guaranteed Acceptance Program (GAP) reporting requirements.

RELATES TO: KRS 304.17B-021(2), 304.17B-023
STATUTORY AUTHORITY: KRS 304.2-110(1), 304.17B-031(1)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) provides that the executive director may promulgate administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. KRS 304.17B-023 establishes reporting requirements for the Guaranteed Acceptance Program. This administrative regulation prescribes the form and the time schedule for submitting reports to the office for each calendar year.

Section 1. Definitions. (1) “Office” is defined in KRS 304.1-050(2).
(2) "Earned premium" is defined in KRS 304.17B-001(8).
(3) "Guaranteed Acceptance Program" or "GAP" is defined in KRS 304.17B-001(11).
(4) "Guaranteed Acceptance Program Electronic Report Format-A" or HIPMC-GAPERF-A-1 means a three and five-tenths (3.5) inch diskette in a Microsoft Excel spreadsheet format with written procedural instructions for reporting annual data pertaining to insurer premiums and GAP individuals.
(5) "Guaranteed Acceptance Program Electronic Report Format-M" or HIPMC-GAPERF-M-1 means a three and five-tenths (3.5) inch diskette in a Microsoft Excel spreadsheet format with written procedural instructions for reporting monthly data pertaining to insurer premiums and GAP individuals.
(6) "Guaranteed Acceptance Program participating insurer" is defined in KRS 304.17B-001(12).
(7) "Health benefit plan" is defined in KRS 304.17A-005(22).
(8) "Insurer" is defined in KRS 304.17A-005(27).
(9) "Supporting Insurer" is defined in KRS 304.17B-001(27).

Section 2. GAP Participating Insurer’s Monthly Report. A GAP participating insurer shall submit a HIPMC-GAPERF-M-1 (04/01), incorporated by reference in this administrative regulation, to the office within thirty (30) calendar days after the end of each calendar month.

Section 3. Supporting Insurer’s and Stop-Loss Carrier’s Quarterly Reports. A supporting insurer and stop-loss carrier shall submit a HIPMC-GAPQR-2 (04/01), incorporated by reference in this administrative regulation, to the office within thirty (30) calendar days after the end of each calendar quarter.

Section 4. GAP Participating Insurer’s Annual Reports. A GAP participating insurer shall submit a HIPMC-GAPERF-A-1 (12/00), incorporated by reference in this administrative regulation, to the office within forty-five (45) calendar days after the end of each calendar year.

Section 5. Certification. A GAP participating insurer shall complete and attach a HIPMC-GAPC-1, incorporated by reference in this administrative regulation, to the following reports, when submitted to the office:
(1) HIPMC-GAPERF-M-1 (04/01); and
(2) HIPMC-GAPERF-A-1 (12/00).

Section 6. Annual Premium Verification. (1) After the end of a calendar year, the office may request in writing that a supporting insurer verify the amount of premiums reported by the insurer for that calendar year.

(2) If a premium verification is requested pursuant to subsection (1) of this section, a supporting insurer shall submit the following documentation:

(a)1. Confirmation that the reported health benefit plan or stop-loss premium amounts are correct; or

2. Corrections of reported health benefit plan or stop-loss premium amounts; and

(b) A HIPMC-GAPAFF-1 (06/01), incorporated by reference into this administrative regulation.

Section 7. Material Incorporated by Reference. (1) The following material is incorporated by reference:

(a) Guaranteed Acceptance Program Affidavit, HIPMC-GAPAFF-1 (06/01);

(b) Guaranteed Acceptance Program (GAP) Data Certification Form, HIPMC-GAPC-1 (12/00);

(c) Guaranteed Acceptance Program Electronic Report Format - Annual for GAP Participating Insurers, HIPMC-GAPERF-A-1 (12/00);

(d) Guaranteed Acceptance Program Electronic Report Format - Monthly for GAP Participating Insurers, HIPMC-GAPERF-M-1 (04/01); and

(e) Supporting Insurer's and Stop-Loss Carrier's Quarterly Report, HIPMC-GAPQR-2 (04/01).

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Office of Insurance, 215 West Main Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. Forms may also be obtained on the office's Internet Web site at http://doi.ppr.ky.gov/kentucky/ (28 Ky.R. 203; eff. 9-10-2001; TAm eff. 8-9-2007; Crt eff. 2-26-2020.)