

**CHAPTER 21**

**SMALL EMPLOYER HEALTH BENEFITS PROGRAM**

**Authority**

N.J.S.A. 17:1-8.1, 17:1-15.e, and 17B:27A-17 et seq.;  
and P.L. 2007, c. 345 and P.L. 2008, c. 38.

**Source and Effective Date**

R.2009 d.277, effective August 18, 2009; and R.2016 d.150,  
effective October 12, 2016 (operative January 1, 2017).  
See: 41 N.J.R. 1147(a), 41 N.J.R. 3451(a),  
48 N.J.R. 1564(a), 48 N.J.R. 2360(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1.c(2), Chapter 21, Small Employer Health Benefits Program, Subchapters 7A, 9, 15, and 16, and Appendix Exhibit GG, expire on February 14, 2017. See: 48 N.J.R. 1902(a).

Chapter 21, Small Employer Health Benefits Program, Subchapters 1 through 3, 4 through 7, 10, 17, 18, and 23, and Appendix Exhibits D, F, G, K, T, W, Y, BB, CC, DD, HH, and II, expire on October 12, 2023.

**Chapter Historical Note**

Chapter 21, Small Employer Health Benefits Program, was adopted as R.1993 d.553, effective October 15, 1993. See: 25 N.J.R. 3599(a), 25 N.J.R. 5253(a).

Subchapter 14, Declaration and Approval of Reinsuring or Risk-Assuming Carrier Status, was adopted as R.1993 d.551, effective October 15, 1993. See: 25 N.J.R. 4572(a), 25 N.J.R. 5347(a).

Subchapter 15, Relief From Obligations Imposed Under the Small Employer Health Benefits Program, was adopted as R.1993 d.629, effective November 5, 1993. See: 25 N.J.R. 4577(a), 25 N.J.R. 5692(a).

Subchapter 6, Standard Employer and Employee Application and Small Employer Certification Forms, Subchapter 7, Program Compliance, Subchapter 17, Fair Meeting Standards, and Subchapter 18, Petitions for Rules, were adopted as R.1993 d.644, effective November 12, 1993. See: 25 N.J.R. 4437(a), 30 N.J.R. 5668(a).

Subchapter 3A, Non-Standard Health Benefits Plan, was adopted as R.1994 d.499, effective September 2, 1994. See: 26 N.J.R. 3421(a), 26 N.J.R. 4047(b).

Subchapter 9, Informational Rate Filing Requirements Pursuant to the Small Employer Health Benefits Program, was adopted as R.1994 d.25, effective December 9, 1993. See: 25 N.J.R. 5757(a), 26 N.J.R. 245(a).

Subchapter 16, Withdrawals of Small Employer Carriers From the Small Employer Health Benefits Plans Market, was adopted as R.1994 d.26, effective December 9, 1993. See: 25 N.J.R. 4859(a), 26 N.J.R. 247(a).

Subchapter 2, New Jersey Small Employer Health Benefits Program Plan of Operation, was adopted as R.1994 d.48, effective December 22, 1993. See: 25 N.J.R. 4563, 26 N.J.R. 391(a).

Subchapter 8, Carrier Certification of Non-Member Status, and Subchapter 10, The Market Share Report, were adopted as R.1994 d.228, effective April 11, 1994. See: 26 N.J.R. 1588(a), 26 N.J.R. 1873(a).

Subchapter 11, Nonstandard Health Benefits Plan Filings With the Commissioner: Form Filings and Request to Withdraw Plan Forms, was adopted as R.1994 d.580, effective November 21, 1994. See: 26 N.J.R. 3118(a), 26 N.J.R. 4620(a).

Subchapter 11, Nonstandard Health Benefits Plan Filings With the Commissioner: Form Filings and Request to Withdraw Plan Forms, was renamed Nonstandard Health Benefits Plans (Filings With the Commissioner): Requirements for Maintaining Nonstandard Plans, and Sub-

chapter 14, Declaration and Approval of Reinsuring or Risk-Assuming Carrier Status, was repealed by R.1997 d.126, effective March 17, 1997. See: 28 N.J.R. 4364(a), 29 N.J.R. 887(b).

Subchapter 19, SEH Program Premium Comparison Survey, was adopted as R.1995 d.289, effective June 5, 1995. See: 27 N.J.R. 1127(b), 27 N.J.R. 2233(a).

Subchapter 7A, Loss Ratio Reports; Dividends and Credits, was adopted as R.1996 d.213, effective May 6, 1996. See: 28 N.J.R. 59(a), 28 N.J.R. 234(b), 28 N.J.R. 2388(a).

Subchapter 3A, Non-Standard Health Benefits Plan, was repealed and Subchapter 3A, Non-Standard Health Benefits Plans, was adopted as new rules by R.1997 d.62, effective February 3, 1997. See: 28 N.J.R. 4344(a), 29 N.J.R. 428(a).

Subchapter 13, Nonstandard Plans: Withdrawal of Plans, was adopted as R.1997 d.126, effective March 17, 1997. See: 28 N.J.R. 4364(a), 29 N.J.R. 887(b).

Pursuant to Executive Order No. 66(1978), Subchapters 1 through 7, 8, 10, 17, 18, and Appendix Exhibits A through KK of Chapter 21, Small Employer Health Benefits Program, were readopted as the Small Employer Health Benefits Program Board as R.1998 d.512, effective September 25, 1998 and Subchapters 7A, 9, 11, 13, 15, 16, 19 and Appendix were readopted as the Department of Banking and Insurance as R.1998 d.533, effective October 15, 1998. See: 30 N.J.R. 2815(a), 30 N.J.R. 3840(a); 30 N.J.R. 2978(a), 30 N.J.R. 4045(a).

Subchapter 20, Withdrawals of Standard SEH Plan Optional Benefit Riders, was adopted as R.1999 d.156, effective May 17, 1999. See: 31 N.J.R. 109(a), 31 N.J.R. 1357(a).

Subchapters 1, 2, 3, 4, 5, 6, 7, 8, 10, 17, 18, 23 and Appendix Exhibits H, N, O, T, CC, DD, and KK were readopted as R.2004 d.107, effective February 19, 2004. Subchapters 7A, 9, 11, 13, 15, 16, 19 and Appendix Exhibits BB, FF, and GG, were readopted as R.2004 d.108, effective February 19, 2004. As part of R.2004, d.107, Subchapter 5, Standard Claim Form, was repealed effective March 15, 2004. See: 35 N.J.R. 5011(a), 36 N.J.R. 1594(a); 35 N.J.R. 4438(a), 36 N.J.R. 1605(a).

Subchapter 20, Withdrawals of Standard SEH Plan Optional Benefit Riders, was readopted as R.2004 d.149, effective March 18, 2004. See: 36 N.J.R. 145(a), 36 N.J.R. 1942(a).

Subchapter 3A, Non-Standard Health Benefits Plans, expired on February 19, 2009.

Chapter 21, Small Employer Health Benefits Program, Subchapters 7A, 9, 11, 13, 15, 16, 19, 20 and 21, and Appendix Exhibits BB Parts 3 through 5, FF, and GG, were readopted as R.2009 d.277, effective August 18, 2009. See: Source and Effective Date. See, also, section annotations.

Chapter 21, Small Employer Health Benefits Program, Subchapters 1 through 3, 4 through 7, 8, 10, 17, 18, 23, and Appendix Exhibits A, D, F, G, H, K, N, O, T, V, W, Y, BB Parts 1, 2 and 6, CC, DD, HH, II and KK, were readopted as R.2009 d.278, effective August 18, 2009. See: 41 N.J.R. 84(a), 41 N.J.R. 3444(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 21, Small Employer Health Benefits Program, Subchapters 1 through 3, 4 through 7, 10, 17, 18, and 23, and Appendix Exhibits D, F, G, K, T, W, Y, BB, CC, DD, HH, and II, were scheduled to expire on August 18, 2016. See: 43 N.J.R. 1203(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 21, Small Employer Health Benefits Program, Subchapter 11, Nonstandard Health Benefits Plans (Filings with the Commissioner): Requirements for Maintaining Nonstandard Plans, Subchapter 13, Nonstandard Plans: Withdrawal of Plans, Subchapter 19, SEH Program Premium Comparison Survey, Subchapter 20, Withdrawals of Standard SEH Plan Optional Benefit Riders, and Subchapter 21, Small Employer Purchasing Alliances, and Appendix Exhibit BB Parts 3 through 5 and Appendix Exhibit FF, expired on August 18, 2016. See: 43 N.J.R. 1203(a).

Chapter 21, Small Employer Health Benefits Program, Subchapters 1 through 3, 4 through 7, 10, 17, 18, and 23, and Appendix Exhibits D, F, G, K, T, W, Y, BB, CC, DD, HH, and II, were readopted as R.2016 d.150; and Subchapter 8, Carrier Certification of Non-Member Status, Appendix Exhibit BB Part 6, and Appendix Exhibit KK were repealed, effective October 12, 2016 (operative January 1, 2017). See: Source and Effective Date. See, also, section annotations.

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