

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<b>INSCD8 Wellness Programs Offered by Insurers</b>			
No provision.	No provision.	<p data-bbox="1346 386 1607 415"><b>R.C. 3901.56</b></p> <p data-bbox="1346 443 1897 607">Allows health and life insurers, including public employee benefit plans, to offer wellness or health improvement programs that include rewards and incentives to encourage or reward participation.</p> <p data-bbox="1346 626 1897 967"><b>Fiscal effect: Potential increase in administrative costs for government employers to provide health insurance coverage to employees and their dependents; any increase would be permissive in the case of self-insured governments, like the state. Insurers would be unlikely to undertake the cost unless they anticipated reduced health care claims costs to result.</b></p>	<p data-bbox="1964 386 2225 415"><b>R.C. 3901.56</b></p> <p data-bbox="1964 443 2239 472">Same as the Senate.</p> <p data-bbox="1964 626 2435 651"><b>Fiscal effect: Same as the Senate.</b></p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
-----------	------------------------	-------------------------	------------

INSCD5 Insurers Supervision, Rehabilitation, and Liquidation Act

	R.C. <i>3903.301, 3903.01 and Section 803.60</i>	R.C. <i>3903.301, 3903.01 and Section 803.60</i>	R.C. <i>3903.301, 3903.01 and Section 803.60</i>
(1) No provision.	(1) Protects specified rights related to "netting agreements" and "qualified financial contracts" in the context of insurance company rehabilitations or liquidations. Measures damages as of the date of an insurer's termination, liquidation, acceleration, or close out of a netting agreement or qualified financial contract. Requires the claim for damages be actual direct compensatory damages. Requires any net or settlement amount that a nondefaulting party owes to an insurer be given to the receiver for the insurer upon termination of a netting agreement or qualified financial contract.	(1) Same as the House.	(1) Same as the House.
(2) No provision.	(2) Requires a receiver to notify any person who is a party to a transferred agreement or contract and to do either of the following concerning transfers of a netting agreement or qualified financial contract entered into between an insurer and a counterparty or affiliate of the counterparty: - Transfer to one party, other than an insurer, all netting agreements and qualified financial contracts. - Transfer none of the netting agreements or qualified financial contracts.	(2) Same as the House.	(2) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(3) No provision.	(3) Prohibits, generally, a receiver from avoiding certain transfers of money or other property that are made before the commencement of a formal delinquency proceeding but allows a receiver to avoid certain fraudulent transfers.	(3) Same as the House.	(3) Same as the House.
(4) No provision.	(4) Requires a receiver to disaffirm or repudiate either all or none of the netting agreements and qualified financial contracts between the insurer and a counterparty (or any affiliate of the counterparty).	(4) Same as the House.	(4) Same as the House.
(5) No provision.	(5) Specifies when a claim must be considered as if it had arisen before the filing date of the petition for liquidation or the petition for conservation or rehabilitation.	(5) Same as the House.	(5) Same as the House.
(6) No provision.	(6) Specifies that all rights of a counterparty under Ohio's Rehabilitation and Liquidation Law apply to netting agreements and qualified financial contracts entered into on behalf of the general account or specified separate accounts.	(6) Same as the House.	(6) Same as the House.
(7) No provision.	(7) Specifies that the above provisions do not apply to the affiliates of an insurer that is the subject of a formal delinquency proceeding and the provisions apply only to formal delinquency proceedings that commence on or after the effective date of the act.	(7) Same as the House.	(7) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
	<p><b>Fiscal effect: None. Makes changes to laws governing the activities of the Office of the Ohio Insurance Liquidator, which manages liquidation related to Ohio-based insurance companies. The Office is technically a private trustee's office overseen by the Franklin County Court of Common Pleas, rather than an operation of state government, and is funded by a share of the estate left by a liquidated insurance company.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>
<p><b>INSCD4 Health Care Coverage and Quality Council</b></p>			
<p>R.C. 3923.90, (Repealed), 185.01, 185.03, 185.06, 185.10, 3319.71, 3924.10, 4113.11, Repealed: 3923.91</p> <p>Eliminates the Health Care Coverage and Quality Council from current law.</p> <p><b>Fiscal effect: Support activities performed by Department staff for the Council were paid from Fund 5540 during the current biennium, under line item 820609, State Coverage Initiative Administration. Activities that were performed by the Council will continue to be performed by Department staff, paid from Fund 5540. Overall this provision is expected to be approximately revenue neutral.</b></p>	<p>R.C. 3923.90, (Repealed), 185.01, 185.03, 185.06, 185.10, 3319.71, 3924.10, 4113.11, Repealed: 3923.91</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>	<p>R.C. 3923.90, (Repealed), 185.01, 185.03, 185.06, 185.10, 3319.71, 3924.10, 4113.11, Repealed: 3923.91</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>	<p>R.C. 3923.90, (Repealed), 185.01, 185.03, 185.06, 185.10, 3319.71, 3924.10, 4113.11, Repealed: 3923.91</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<b>INSCD6 Most Favored Nation Clauses in Health Care Contracts</b>			
No provision.	<p data-bbox="698 365 1330 397"><b>R.C. 3963.11, Section 630.10</b></p> <p data-bbox="698 422 1330 795">Prohibits all health care contracts entered into or offered to a health care provider from including a most favored nation clause. Removes language that had originally provided for a three year moratorium on most favored nation clauses in health care contracts. Specifies that contracts in effect prior to June 25, 2008, are permitted to retain a most favored nation clause for the duration of the existing contract, unless that contract is amended, extended, or renewed.</p> <p data-bbox="698 812 1330 1226"><b>Fiscal effect: A "most favored nation" clause in a health care contract generally requires a health care provider to charge an insurer rates for providing health care services that are not higher than the provider charges any other insurer. Such clauses therefore may affect rates that insurers pay for health care services. This provision may therefore increase or decrease state and local government expenditures to provide health benefits to employees.</b></p>	<p data-bbox="1330 365 1948 397"><b>R.C. 3963.11, Section 630.10</b></p> <p data-bbox="1330 422 1948 454">Same as the House.</p> <p data-bbox="1330 812 1948 836"><b>Fiscal effect: Same as the House.</b></p>	<p data-bbox="1948 365 2636 397"><b>R.C. 3963.11, Section 630.10</b></p> <p data-bbox="1948 422 2636 454">Same as the House.</p> <p data-bbox="1948 812 2636 836"><b>Fiscal effect: Same as the House.</b></p>

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**INSCD1 Market Conduct Examination**

**Section: 307.10**

Allows the Superintendent of Insurance to assess the cost of conducting a market conduct examination of an insurer against the insurer. Allows the Superintendent to enter into consent agreements to impose administrative assessments or fines for violations of insurance laws or rules. Specifies that all costs, assessments, and fines collected must be deposited to the Department of Insurance Operating Fund (Fund 5540).

**Section: 307.10**

Same as the Executive.

**Section: 307.10**

Same as the Executive.

**Section: 307.10**

Same as the Executive.

**INSCD2 Examinations Of Domestic Fraternal Benefit Societies**

**Section: 307.10**

Allows the Director of Budget and Management, at the request of the Superintendent of Insurance, to transfer funds from the Department of Insurance Operating Fund (Fund 5540) to the Superintendent's Examination Fund (Fund 5550). Specifies that the permitted transfer amount is limited to expenses incurred in examining domestic fraternal benefit societies.

**Section: 307.10**

Same as the Executive.

**Section: 307.10**

Same as the Executive.

**Section: 307.10**

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<b>INSCD3 Transfer From Fund 5540 To General Revenue Fund</b>			
<p><b>Section: 307.10</b> Requires the Director of Budget and Management to transfer \$5.0 million from the Department of Insurance Operating Fund (Fund 5540), not later than the thirty first day of July each fiscal year, to the GRF.</p>	<p><b>Section: 307.10</b> Same as the Executive.</p>	<p><b>Section: 307.10</b> Same as the Executive.</p>	<p><b>Section: 307.10</b> Same as the Executive.</p>