



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE
SMALL EMPLOYER HEALTH BENEFITS PROGRAM

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**NOTICE OF ANNUAL FILING REQUIREMENTS FOR
NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM
ACTION REQUIRED BY APRIL 1, 2022**

To: Property and Casualty Carriers, Life and Accident and Health Insurance Carriers, Health Maintenance Organizations, And Health Service Corporations

From: New Jersey Small Employer Health Benefits ("SEH") Program Board

RE: Annual Filing of Market Share Reports – Due April 1, 2022

NOTE: ONLY carriers with inforce small employer health benefits plans in New Jersey in 2021 are required to submit a Market Share Report (Exhibit CC). NO other carriers should complete and submit the report.

Copy of the report is attached hereto. If the SEH Board does not receive an accurate Market Share Report from a Member by the **April 1, 2022** deadline, or has not granted an extension for such a filing, the Board may refer the matter to the DOBI for enforcement.

Pursuant to the Small Employer Health Benefits Act of 1992, ("SEH Act"), N.J.S.A. 17B:27A-17 et seq., and regulations promulgated thereto and set forth at N.J.A.C. 11:21-1.1 et seq., *carriers with inforce small employer health benefits plans in New Jersey* are subject to assessment by the SEH Board.

Affiliated carriers filing Market Share Reports must submit both a combined Market Share Report and a Market Share Report for each individual affiliate.

Send Completed Forms to:

New Jersey Small Employer Health Benefits Program
PO Box 325 (for regular mail)
20 West State Street, 11th Floor (for courier service)
Trenton, NJ 08625-0325
Fax # 609-633-2030
Email: Rosaria.lenox@dobi.nj.gov (Preferred Method)

Visit us on the Web at dobi.nj.gov/reform.htm

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The following excerpts from the **SEH Program** regulations are set forth below to assist you in completion of the Exhibit CC Market Share Report.

SEH Program: Market Share Report

N.J.A.C. 11:21-10.1 Scope and applicability

(a) This subchapter sets forth annual reporting requirements of market share data for the assessment of operational and administrative expenses of the SEH Program.

(b) This subchapter shall apply to all carriers that are, or become, members of the SEH Program for any portion of a calendar year for which reports under this subchapter are required to be filed, whether or not the carrier is a member on the report filing due date.

11:21-10.3 Filing of the Market Share Report

(a) Every member of the SEH Program shall file the Market Share Report set forth as Exhibit CC in the Appendix to this chapter, incorporated herein by reference, on or before April 1. Every member shall complete Parts A, B, C and D of the Market Share Report.

1. Affiliated carriers shall submit a combined Market Share Report, except as stated in (a)2 below. The combined Market Share Report shall be submitted under the name of one of the affiliated carrier's members.

2. Any insurance company, health service corporation, hospital service corporation or medical service corporation that is an affiliate of a health maintenance organization located in the State, and any health maintenance organization located in the State that is affiliated with an insurance company, health service corporation, hospital service corporation, or medical service corporation shall submit separate Market Share Reports.

(b) Certified Market Share Reports shall be submitted by mail or facsimile to the SEH Program Executive Director, as set forth at N.J.A.C. 11:21-2.

11:21-10.4 Net earned premium

(a) Every member's net earned premium for the preceding calendar year ending December 31 shall be set forth in Part C of the Market Share Report.

1. Net earned premium set forth in Part C of the Market Share Report shall include net earned premium resulting from health benefits plans issued, continued or renewed during the preceding calendar year for one or more small employers, less any refunds paid by that carrier during the calendar year as a result of the application of the minimum loss ratio requirement.

2. Net earned premium reported in Part C of the Market Share Report shall be based upon, if not the same as, the data set forth in the member's annual NAIC statement blank adjusted to meet the definition of group health benefits plan and exclude refunds as described in (a)1 above, as necessary.

11:21-10.5 Certification

All reports shall be certified as accurate, complete and conforming with the requirements of this subchapter by the Chief Financial Officer or other duly authorized officer of the member.

11:21-10.6 Failure to comply

Failure to comply with the reporting provisions of this subchapter shall result in the Board determining that the premium set forth in the member's most recent Annual Statement filed with the Department is the premium based upon which that member's market share allocation of assessments shall be calculated by the Board.