

**513B.11 Notice of intent to operate as a risk-assuming carrier or reinsuring carrier.**

1. *a.* Upon the approval of a plan of operation by the commissioner under [section 513B.13, subsection 4](#), a small employer carrier authorized to transact the business of insurance in this state shall notify the commissioner of the carrier's intention to operate as a risk-assuming carrier or a reinsuring carrier. The notification shall be made as deemed appropriate by the commissioner. A small employer carrier seeking to operate as a risk-assuming carrier shall make an application pursuant to [section 513B.12](#).

*b.* The notification of the commissioner concerning the carrier's intention pursuant to paragraph "a" is binding for a five-year period from the date notification is given, except that the initial notification given by carriers after July 1, 1992, is binding for a two-year period. The commissioner may permit a carrier to modify the carrier's decision at any time for good cause.

*c.* The commissioner shall establish an application process for small employer carriers seeking to change their status pursuant to [this subsection](#). If a small employer carrier has been acquired by another such carrier, the commissioner may waive or modify the time periods established in paragraph "b".

2. A reinsuring carrier that applies and is approved to operate as a risk-assuming carrier shall not be permitted to continue to reinsure any health insurance coverage with the program. The carrier shall pay a prorated assessment based upon business issued as a reinsuring carrier for any portion of the year that the business was reinsured.

[92 Acts, ch 1167, §12](#); [93 Acts, ch 80, §10](#); [97 Acts, ch 103, §25](#)