

CHAPTER 513D

MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

Referred to in §87.4, 296.7, 331.301, 364.4, 505.28, 505.29, 507A.4, 509.1, 509.19, 510B.1, 669.14, 670.7

513D.1	Multiple employer welfare arrangements and association health plans.	513D.2	Rules and enforcement.
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513D.1 Multiple employer welfare arrangements and association health plans.

1. As used in [this chapter](#), unless the context otherwise requires:
 - a. “Association health plan” or “AHP” means a multiple employer welfare arrangement formed as an association health plan pursuant to [29 C.F.R. pt. 2510](#).
 - b. “Commissioner” means the commissioner of insurance.
 - c. “Multiple employer welfare arrangement” or “MEWA” means a multiple employer welfare arrangement as defined in section 3 of the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. §1002, paragraph 40.
 2. An AHP or MEWA that offers a plan to, or maintains a group health plan for, any resident of this state shall be subject to the jurisdiction of the commissioner and shall comply with all of the following requirements:
 - a. The AHP or MEWA must be administered by an insurer authorized to do the business of insurance in this state or an authorized third-party administrator that holds a current certificate of registration pursuant to [section 510.21](#).
 - b. The AHP or MEWA must be established by a trade, industry, or professional association of employers that has a constitution or bylaws, is organized and maintained in good faith, and has membership stability as defined by rules adopted by the commissioner.
 - c. The AHP or MEWA must register with the commissioner and obtain and maintain a certificate of registration issued by the commissioner.
 - d. The AHP or MEWA shall comply with all rules and solvency standards established by rules adopted by the commissioner.
 3. An AHP or MEWA that does not meet the solvency standards pursuant to [subsection 2](#), paragraph “d”, shall be subject to [chapter 507C](#).
 4. An AHP or MEWA that meets all of the requirements of [subsection 2](#) shall not be considered any of the following:
 - a. An insurance company or association of whatever kind or character under [section 432.1](#).
 - b. A member of the Iowa individual health benefit reinsurance association pursuant to [section 513C.10, subsection 1](#).
 - c. A member insurer of the Iowa life and health insurance guaranty association pursuant to [section 508C.5](#).
 5. An AHP or MEWA that is registered with the commissioner pursuant to [subsection 2](#), paragraph “c”, shall annually file with the commissioner on or before March 1 a copy of the report required to be filed by the AHP or MEWA with the United States department of labor pursuant to [29 C.F.R. §2520.101-2](#).
 6. An AHP or MEWA that is registered with the commissioner pursuant to [subsection 2](#), paragraph “c”, shall annually file with the commissioner a report on or before March 1 for the preceding calendar year. The annual report shall contain the information and be in a form and manner as prescribed by the commissioner.
 7. A foreign or domestic AHP or MEWA doing business in the state shall pay fees as prescribed by the commissioner unless otherwise provided by law.
 8. A MEWA that is recognized as tax-exempt under Internal Revenue Code section 501(c)(9) and that is registered with the commissioner prior to January 1, 2018, shall not be considered an AHP unless the MEWA affirmatively elects to be treated as an AHP.
- [2018 Acts, ch 1063, §5; 2018 Acts, ch 1172, §68; 2019 Acts, ch 59, §183; 2021 Acts, ch 181, §11](#)

513D.2 Rules and enforcement.

1. The commissioner of insurance shall adopt rules as necessary pursuant to [chapter 17A](#) to administer [this chapter](#).

2. The commissioner of insurance may take any enforcement action under the commissioner's authority to enforce compliance with [this chapter](#).

[2018 Acts, ch 1063, §6; 2019 Acts, ch 59, §184; 2019 Acts, ch 89, §16; 2021 Acts, ch 181, §12](#)