
DEPARTMENT OF INSURANCE

Limiting age for dental and vision coverage

- Requires dental and vision health benefit plans, issued, renewed, or amended on or after January 1, 2024, to provide coverage to unmarried, dependent children until age 26.

Consolidation of funds

- Abolishes the Superintendent's Examination Fund and the Captive Insurance Regulation and Supervision Fund and transfers the activities of these funds to the Department of Insurance Operating Fund.

Mine subsidence insurance

- Authorizes a board of county commissioners, in a county where insurers are required to offer mine subsidence insurance on an optional basis, to adopt a resolution requiring insurers to include mine subsidence insurance in each policy of basic homeowners insurance delivered, issued, or renewed in that county.
- Specifies that a mine subsidence insurance requirement applies beginning on the date specified in the resolution, or July 1 of the following year, whichever is later.
- Requires a county that adopts or rescinds a mine subsidence insurance requirement to provide a copy of the resolution to the Superintendent of Insurance and the Director of Natural Resources, for publication to their respective websites.

Insurance navigator license fees

- Reduces the certification and annual renewal fees for business entities that act as insurance navigators to \$200 and \$100, respectively.
- Requires individual insurance navigators to pay certification and renewal fees specified by the Superintendent of Insurance.
- Specifies that the fee changes are remedial in nature and intended to clarify the law as it existed before October 3, 2023 (the provision's effective date).

Limiting age for dental and vision coverage

(R.C. 1751.14, 3923.24, and 3923.241)

The act increases the age at which vision and dental health benefit plans may exclude coverage for dependent children. Under the act, dental and vision insurance health benefit plans must cover nonmarried, dependent children until age 26. The requirement applies only to health benefit plans issued, renewed, or amended on or after January 1, 2024. Other health plan types and vision and dental health benefit plans issued before that date are not affected.

Under continuing law, primary care health benefit plans – plans covering things like standard doctor visits or hospital stays – must cover dependent, unmarried children until they

reach age 26 (referred to as the “limiting age”). Prior to the act, the law excluded dental and vision plans and allowed the plans to set their own limiting age.

Consolidation of funds

(R.C. 1739.10, 1751.34, 1761.16, 3901.021, 3901.07, 3901.071, 3919.19, 3921.28, 3930.13, 3931.08, 3964.03, 3964.13, and 3964.15)

Continuing law requires the Superintendent of Insurance to conduct financial examinations of insurance companies at least once every five years. The Department of Insurance monitors the financial solvency of insurance companies by reviewing financial statements and other records, and by conducting regular onsite examinations. The Department’s expenses for conducting such an examination are reimbursed by the insurance company through an assessment by the Superintendent. Prior law required the assessments to be deposited into the Superintendent’s Examination Fund. The act eliminates that fund and instead requires the assessments to be paid to the Department of Insurance Operating Fund.

The act also eliminates the Captive Insurance Regulation and Supervision Fund, which the Superintendent used for expenses related to the oversight of captive insurers. The act redirects the license fees and other fees previously paid to the fund to the Department of Insurance Operating Fund.

Mine subsidence insurance

(R.C. 3929.56)

Continuing law establishes a mine subsidence insurance program to provide coverage to homeowners in counties where abandoned mines are located. The coverage addresses potential losses caused by the “collapse of lateral or vertical movements of structures resulting from the caving in of underground mines.” It does not cover losses caused by earthquakes, landslides, volcanic eruption, or collapse of strip mines, storm and sewer drains, or rapid transit tunnels.⁹⁰ Under the program, insurance premiums are paid into the Mine Subsidence Insurance Fund, which is a custodial account. The program is administered by the Ohio Mine Subsidence Insurance Underwriting Association, which in turn is governed by the Mine Subsidence Insurance Governing Board.

Every insurer is required by continuing law to include mine subsidence coverage provided by the Association in each policy of basic property and homeowners insurance that is delivered, issued for delivery, or renewed in the following counties: Athens, Belmont, Carroll, Columbiana, Coshocton, Gallia, Guernsey, Harrison, Hocking, Holmes, Jackson, Jefferson, Lawrence, Mahoning, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Scioto, Stark, Trumbull, Tuscarawas, Vinton, and Washington. In addition, law changed in part by the act requires every insurer that offers basic property and homeowners insurance for structures located in Delaware, Erie, Geauga, Lake, Licking, Medina, Ottawa, Portage, Preble, Summit, and Wayne counties to

⁹⁰ R.C. 3929.50, not in the act.

offer to include mine subsidence insurance coverage provided by the Association on an optional basis.

The act authorizes the boards of county commissioners of Delaware, Erie, Geauga, Lake, Licking, Medina, Ottawa, Portage, Preble, Summit, and Wayne counties, where mine subsidence insurance coverage is optional, to adopt a resolution requiring insurers to provide the coverage in all basic property and homeowners insurance policies. In other words, the act allows the boards of county commissioners of those counties to opt-into the same mandatory coverage requirements that apply to Athens, Belmont, Carroll, Columbiana, Coshocton, Gallia, Guernsey, Harrison, Hocking, Holmes, Jackson, Jefferson, Lawrence, Mahoning, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Scioto, Stark, Trumbull, Tuscarawas, Vinton, and Washington counties under continuing law.

The act specifies that the coverage requirement applies beginning on the date specified in the resolution, or July 1 of the year that begins after the resolution is adopted, whichever is later. If the board of county commissioners later rescinds the resolution, insurers must cease requiring mine subsidence coverage and instead offer it on an optional basis, beginning on or before the date specified in the rescinding resolution, or July 1 of the year that begins after the resolution is adopted, whichever is later.

A board of county commissioners that adopts or rescinds a mine subsidence insurance requirement must promptly send a copy of the resolution to the Director of Natural Resources and the Superintendent of Insurance. They must post the resolution on their agencies' websites.

Insurance navigator license fees

(R.C. 3905.471; Section 803.300)

The act modifies the initial certification and renewal fees for insurance navigators that were recently codified by H.B. 509 of the 134th General Assembly, effective April 6, 2023.

Before H.B. 509, initial licensing and renewal fees for both individual and business entity insurance navigators were established by administrative rule. For business entities, the rule imposed different fees based on how many insurance navigators the business entity employed. For business entities with less than 100 employed insurance navigators, an applicant paid an initial application fee not exceeding \$250, and an annual renewal fee not exceeding \$100. For business entities with 100 or more employed insurance navigators, an applicant paid an initial application fee not exceeding \$500, and an annual renewal fee not exceeding \$250. According to the Department of Insurance, no fees were charged for initial certification or renewal of individual insurance navigator licenses.

H.B. 509 required individual insurance navigators to pay \$200 for initial certification and \$100 annually for license renewal, but made no change to the fees for business entities, which were still set by administrative rule. The act reverses the application of those changes. Under the act, individual insurance navigators pay fees specified by rule of the Superintendent of Insurance (currently \$0) for initial licensure and renewal. Conversely, the act reduces fees for business entities to \$200 for initial certification and \$100 for annual renewal, regardless of how many insurance navigators the business entity employs.

The act specifies that this change is remedial in nature and intended to clarify the law as it existed before October 3, 2023 (the provision's effective date).

An insurance navigator performs activities and duties identified in the federal Affordable Care Act, such as:

- Conducting public education activities to raise awareness of the availability of qualified health plans;
- Distributing fair and impartial information concerning enrollment in qualified health plans, and the availability of premium tax credits and cost-sharing reductions;
- Facilitating enrollment in qualified health plans;
- Providing referrals to appropriate state agencies for any enrollee with a grievance or question regarding their health plan.⁹¹

⁹¹ R.C. 3905.01, not in the act, and by reference, Section 1311 of the federal "Patient Protection and Affordable Care Act."